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(AUTHORISED EDITION),

**FOURTH SERIES**

**THIRD SESSION OF THE TWENTY-EIGHTH PARLIAMENT**

**OF THE**

**UNITED KINGDOM OF GREAT BRITAIN AND IRELAND**

**8 EDWARD VII.**

**VOLUME CXCIV.**

**COMPRISING PERIOD FROM MONDAY, TWELFTH DAY OF OCTOBER,  
1908, TO MONDAY, TWENTY-SIXTH DAY OF OCTOBER, 1908.**

**TWELFTH VOLUME OF SESSION.**

**1908.**

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     G. WAINWRIGHT, Mr. J. GUYATT, Mr. R. TURTLE.  
**Messengers (2nd Class)**—Messrs. A. HASKELL, A. C. JOHNSON, G. CLAPPERTON, H. E.  
     LININGTON, H. G. EMMETT, J. L. PHILIP, W. FINDLAY, W. MACDONALD, W. R.  
     BRIMSON, A. NEW.  
**Superintendent of Members' Waiting Room**—Mr. J. F. HENLEY ; Assistant—Mr. W.  
     BROADBENT ; Porters—Messrs. J. HART and G. FRY.  
**Inspector of Police attending the House of Commons**—Mr. SCANTLEBURY.

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### TWELFTH VOLUME OF SESSION 1908.

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### PARLIAMENTARY PAPERS (RECESS).

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1. Trade Reports (Annual Series).—Diplomatic and Consular Reports, Annual Series, Nos. 4075, 4084 to 4088, and 4097 to 4141.

Board of Agriculture and Fisheries.—Annual Report of the Intelligence Division : Part I. Proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, the Merchandise Marks Acts, 1887 to 1894, the Fertilisers and Feeding Stuffs Act, 1906, and the Board of Agriculture Act, 1889 ...	...
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Irish Land Act, 1903.—Report of the Estates Commissioners for the year ended 31st March, 1908, and for the period from 1st November, 1903, to 31st March, 1908, with appendices ...	...
Army.—Report of the Army Medical Department for the year 1907. Volume XLIX. ...	...
Sewage Disposal (Royal Commission).—Fifth Report of the Commissioners; together with minutes of evidence and appendices (eight volumes) ...	...
Board of Education —Statistics of Public Education in England and Wales, 1906, 1907, 1908; Part I. Educational Statistics ...	...
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Greenwich Observatory.—Report of the Astronomer Royal to the Board of Visitors of the Royal Observatory, Greenwich, 1908 ...	...
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23. Light Railways Act, 1896.—(Central Essex Light Railway (Amendment and Extension of Time) Order, 1908.)
24. Light Railways Act, 1896.—(Portmadoc, Beddgelert, and South Snowdon Railway (Light Railway) Order, 1908.)
25. Prisons (England and Wales).—Report of the Commissioners of Prisons and the Directors of Convict Prisons.
26. Police (Metropolis).—Report of the Commissioner of Police of the Metropolis for the year 1907.
27. Mines and Quarries.—General Report and Statistics for the year 1907. Part II., Labour; General Report and Statistics relating to Persons employed and Accidents at Mines and Quarries in the United Kingdom, and to the enforcement of the Mines and Quarries Acts.
28. Explosions (Norton Hill Colliery).—Report by J. S. Martin, I.S.O., one of His Majesty's Inspectors of Mines.
29. Explosions (Patent Electric Shot Firing Company, Newbold, Derbyshire).—Report by Captain H. Coningham, R.A., His Majesty's Inspector of Explosives.
30. Explosions (Curtis's and Harvey's Factory at Cliffe, Kent).—Report by Major A. Cooper-Key, His Majesty's Chief Inspector of Explosives.
31. Explosions (Mersey, Weaver, and Ship Canal Carrying Company, Dawson Street, Manchester).—Report by Major A. Cooper-Key, His Majesty's Chief Inspector of Explosives.
32. Mines (Irruption of Water at Brereton Collieries).—Report by Hugh Johnstone, His Majesty's Inspector of Mines.
33. Workmen's Compensation.—Statistics of Proceedings under the Workmen's Compensation Acts, 1897, 1900, and 1906, and the Employers' Liability Act, 1880, during the year 1907.
34. Sewage Disposal (Royal Commission).—Fifth Report of the Commissioners.
35. Charitable Donations and Bequests (Ireland).—Sixty-third Annual Report of the Commissioners of Charitable Donations and Bequests for Ireland.
36. Peterhead Harbour.—Reports respecting Peterhead Harbour Works.
37. Fishery Investigations.—Minutes of Evidence given before the Committee appointed to inquire into the Scientific and Statistical Investigations now being carried on in relation to the Fishing Industry of the United Kingdom, together with Appendices and Report.
38. Navy (Courts-Martial).—Returns of the number of Courts-Martial held, and Summary Punishments inflicted.
39. Greenwich Observatory.—Report of the Astronomer Royal to the Board of Visitors of the Royal Observatory, Greenwich, 1908.
40. Injuries to Submarine Cables.—Interdepartmental Committee on Injuries to Submarine Cables, with Minutes of Evidence and Appendices.
41. Secondary Education (Scotland).—Report on Secondary Education in Scotland for the year 1908.
42. Births, Deaths and Marriages (Scotland).—Fifty-second Detailed Annual Report of the Registrar-General for Scotland of Births, Deaths and Marriages in Scotland.

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<i>The Under-Secretary of State for Foreign Affairs (Lord Fitzmaurice)</i> ...	18
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2. Treaty Series (No. 21, 1908).
3. Treaty Series (No. 23, 1908).
4. Treaty Series (No. 24, 1908).
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7. Treaty Series (No. 27, 1908).
8. Africa No. 4, 1908).—Further Correspondence respecting the **Taxation** of Natives and other Questions in the Congo State.
9. China (No. 2, 1908).—Despatch from His Majesty's Minister in China forwarding a General Report by Mr. Leech respecting the **Opium Question** in China.
10. Limitations upon Testamentary Bequests (Miscellaneous, No. 7, 1908).—Reports respecting the Limitations imposed by Law upon Testamentary Bequests in France, Germany, Italy, Russia, and the United States.
11. Limitation of Speeches in Supreme Legislative Assemblies (Miscellaneous, No. 8, 1908).—Reports from His Majesty's Representatives Abroad.
12. Colonial Reports (Annual).—Nos. 567 (Seychelles, Annual Report for 1907); 568 (Bermuda, Annual Report for 1907); 569 (Weihaiwei, Annual Report for 1907); 570 (Hong Kong, Annual Report for 1907); 571 (Malta, Report for 1907–8); 572 (British Honduras, Annual Report for 1907); 573 (Gold Coast, Annual Report for 1907); 574 (Nyasaland, Report for 1907–8); 575 (Bahamas, Report for 1907–8); 576 (Gambia, Annual Report for 1907).
13. Colonial Reports (Miscellaneous).—Reports, Nos. 53 (East Africa Protectorate, Report on Veterinary Bacteriological Work during 1907–8); 54 (Newfoundland, Report by the Governor on a Visit to the Micmac Indians at Bay d'Espoir); 55 (Cape Colony, Report on the Rietfontein Area, by Mr. J. F. Herbst).
14. Cyprus.—Annual Report for 1907–8.
15. Asia Minor.—Report on Agriculture in Asia Minor, with special reference to Cotton Cultivation.
16. Railway Accidents.—Returns of Accidents and Casualties as reported to the Board of Trade by the several Railway Companies in the United Kingdom.
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**Children Bill.**—Order for Consideration, as amended, (by the Standing Committee), read.

*Lord R. Cecil (Marylebone, E.)* ... .. 41

**Motion made, and Question proposed,** “That the Bill be re-committed to a Select Committee in respect of Clauses 39 to 44, inclusive.”—*Lord Robert Cecil.*

*The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire Cleveland)* ... .. 45

*Sir Frederick Banbury (City of London)*... .. 46

*Mr. Rawlinson (Cambridge University)* ... .. 46

*Mr. Lupton (Lincolnshire, Sleaford)* ... .. 47

*Mr. Walter Long (Dublin, S.)* ... .. 49

**Question put.**

**The House divided :** Ayes, 44 ; Noes, 164. (Division List No. 241.)

*Mr. Herbert Samuel* ... .. 53

**New clause—**

“Where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air-passages of the infant) whilst the infant was in bed with some other person over sixteen years of age, and that that other person was at the time of going to bed under the influence of drink, that other person shall be deemed to have neglected the infant in a manner likely to cause injury to its health within the meaning of this part of this Act.”—(*Mr. Herbert Samuel.*)

**Brought up, and read a first time.**

**Motion made, and Question proposed :—**“That the clause be read a second time.”

*Mr. Akers-Douglas (Kent, St. Augustine's)* ... .. 55

*Mr. Bowles (Lambeth, Norwood)* ... .. 56

Amendment, by leave, withdrawn.

Amendment moved—

“In line 3, after the word ‘practitioner’ to insert the words ‘or nurse.’”—(*Mr. Rawlinson*)

Question, “That those words be there inserted,” put, and agreed to.

*Mr. Rawlinson* ... .. 103

Amendment proposed—

“In line 3, after the word ‘sickness’ to insert the words ‘or apprehended sickness.’”—(*Mr. Rawlinson.*)

Question proposed “That those words be there inserted.”

Question put, and agreed to.

Question proposed, “That the Clause, as amended, be added to the Bill.”

*Lord R. Cecil* ... .. 104

Question put.

The House divided:—Ayes, 140; Noes, 85. (Division List No. 245.)

*Mr. Rawlinson* ... .. 107

*Mr. Jesse Collings (Birmingham, Bordesley)* ... .. 108

Amendment proposed—

“In page 1, line 8, to leave out ‘one or more.’”—(*Mr. Rawlinson.*)

Question proposed, “That the words proposed to be left out stand part of the Bill.”

*Mr. Herbert Samuel* ... .. 109

Amendment negatived.

Amendment proposed—

“In page 1, line 8, to leave out the word ‘seven,’ and to insert the word ‘five.’”—(*Mr. Rawlinson.*)

Question proposed, “That the word ‘seven’ stand part of the clause.”

*Mr. Herbert Samuel* ... .. 111

Amendment negatived.

*Mr. Herbert Samuel* ... .. 111

Amendment proposed—

“In page 1, line 19, to leave out the words ‘age and.’”—(*Mr. Herbert Samuel.*)

Question, “That the words ‘age and’ stand part of the Bill”—put, and negatived.

Amendment—

In page 1, line 19, after the word ‘sex,’ to insert the words ‘and date and place of birth.’”—(*Mr. Herbert Samuel.*)

Agreed to.

*Mr. Rawlinson* ... .. 112

Amendments—

“In page 3, line 21, after the word ‘writing,’ to insert the words ‘one or more.’”

“In page 3, line 21, after the word ‘persons,’ to insert ‘of either sex.’”

## New clause—

“If any person give, or cause to be given, to any child under the age of five any intoxicating liquor, except upon the order of a fully-qualified medical practitioner or in case of sickness or other urgent case, he shall, on summary conviction, be liable to a fine not exceeding three pounds.”—(*Mr. Wedgewood.*)

Brought up, and read a first time.

Question proposed, “That the clause be read a second time.”

<i>Mr. Rees (Montgomery Boroughs)</i> ...	...	...	...	...	...	...	79
<i>Lord R. Cecil</i> ...	...	...	...	...	...	...	80
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<i>Mr. Akers Douglas</i> ...	...	...	...	...	...	...	86
<i>Mr. Herbert Samuel</i> ...	...	...	...	...	...	...	87

Question put.

The House divided :—Ayes, 123 ; Noes, 103. (Division List No. 242).

<i>Lord R. Cecil</i> ...	...	...	...	...	...	...	91
<i>Mr. Rawlinson</i> ...	...	...	...	...	...	...	92

## Amendment proposed—

“In line 2, after the word ‘liquor’ to insert the words ‘or other substance containing any narcotic or other thing likely to be injurious to the health of the child.’”—(*Lord R. Cecil.*)

Question proposed, “That those words be there inserted.”

<i>Mr. Wedgewood</i> ...	...	...	...	...	...	...	93
<i>Mr. Bowles</i> ...	...	...	...	...	...	...	93
<i>Mr. Herbert Samuel</i> ...	...	...	...	...	...	...	94
<i>Mr. Stuart Wortley</i> ...	...	...	...	...	...	...	94

Question put.

The House divided :—Ayes, 62 ; Noes, 172. (Division List No. 244).

<i>Mr. Pickersgill (Bethnal Green, S.W.)</i> ...	...	...	...	...	...	...	99
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## Amendments proposed—

“In line 2, after the word ‘liquor’ to insert the words ‘within the meaning of the Intoxicating Liquors Act.’”—(*Mr. Pickersgill.*)

Question proposed, “That those words be there inserted.”

<i>Mr. Herbert Samuel</i> ...	...	...	...	...	...	...	99
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Amendment, by leave, withdrawn.

## Amendment proposed—

“In line 2, after the word ‘liquor’ to insert the words ‘within the meaning of the Licensing Acts, 1828 to 1906.’”—(*Mr. Pickersgill.*)

Question proposed, “That those words be there inserted.”

<i>Lord R. Cecil</i> ...	...	...	...	...	...	...	100
<i>Mr. Rawlinson</i> ...	...	...	...	...	...	...	101
<i>Mr. Dundas White (Dumbartonshire)</i> ...	...	...	...	...	...	...	101
<i>Mr. Bowles</i> ...	...	...	...	...	...	...	102
<i>Mr. Cherry</i> ...	...	...	...	...	...	...	102
<i>Mr. Fell (Great Yarmouth)</i> ...	...	...	...	...	...	...	102
<i>Mr. Napier (Kent, Faversham)</i> ...	...	...	...	...	...	...	103



Amendment, by leave, withdrawn.

Amendment moved—

“In line 3, after the word ‘practitioner’ to insert the words ‘or nurse.’”—(*Mr. Rawlinson*)

Question, “That those words be there inserted,” put, and agreed to.

*Mr. Rawlinson* ... .. 103

Amendment proposed—

“In line 3, after the word ‘sickness’ to insert the words ‘or apprehended sickness.’”—(*Mr. Rawlinson.*)

Question proposed “That those words be there inserted.”

Question put, and agreed to.

Question proposed, “That the Clause, as amended, be added to the Bill.”

*Lord R. Cecil* ... .. 104

Question put.

The House divided :—Ayes, 140; Noes, 85. (Division List No. 245.)

*Mr. Rawlinson* ... .. 107

*Mr. Jesse Collings (Birmingham, Bordesley)* ... .. 108

Amendment proposed—

“In page 1, line 8, to leave out ‘one or more.’”—(*Mr. Rawlinson.*)

Question proposed, “That the words proposed to be left out stand part of the Bill.”

*Mr. Herbert Samuel* ... .. 109

Amendment negatived.

Amendment proposed—

“In page 1, line 8, to leave out the word ‘seven,’ and to insert the word ‘five.’”—(*Mr. Rawlinson.*)

Question proposed, “That the word ‘seven’ stand part of the clause.”

*Mr. Herbert Samuel* ... .. 111

Amendment negatived.

*Mr. Herbert Samuel* ... .. 111

Amendment proposed—

“In page 1, line 19, to leave out the words ‘age and.’”—(*Mr. Herbert Samuel.*)

Question, “That the words ‘age and’ stand part of the Bill”—put, and negatived.

Amendment—

In page 1, line 19, after the word ‘sex,’ to insert the words ‘and date and place of birth.’”—(*Mr. Herbert Samuel.*)

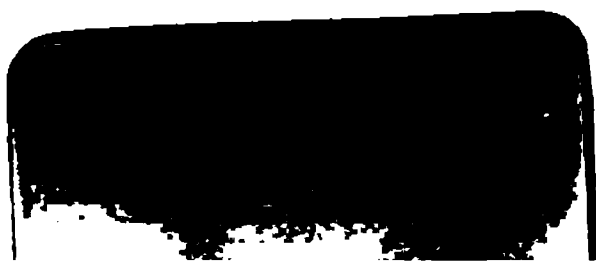
Agreed to.

*Mr. Rawlinson* ... .. 112

Amendments—

“In page 3, line 21, after the word ‘writing,’ to insert the words ‘one or more.’”

“In page 3, line 21, after the word ‘persons,’ to insert ‘of either sex.’”



“In page 3, line 25, after the word ‘may’ to insert the words ‘if satisfied that the interests of the infants are properly safeguarded.’”

“In page 3, line 27, after the word ‘infants,’ to insert the words ‘subject however to the obligation to furnish periodical reports to the local authority.’”—(*Mr. Herbert Samuel.*)

Agreed to.

<i>Sir F. Banbury</i>	...	...	...	...	...	...	...	...	113
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Amendment proposed—

“In page 3, line 31, to leave out subsection (4) of Clause 2.”—(*Sir F. Banbury.*)

Question proposed, “That the words proposed to be left out stand part of the Bill.”

<i>Mr. Herbert Samuel</i>	...	...	...	...	...	...	...	113
<i>Lord R. Cecil</i>	...	...	...	...	...	...	...	114
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<i>Mr. Nield (Middlesex, Ealing)</i>	...	...	...	...	...	...	...	116
<i>Sir F. Banbury</i>	...	...	...	...	...	...	...	117

Amendment, by leave, withdrawn.

Amendments—

“In page 3, line 33, after the word ‘district,’ to insert the words ‘which appear to them to be so conducted that it is unnecessary that they should be visited.’”

“In page 3, line 36, after the word ‘visit,’ to insert the words ‘or examine.’”

“In page 4, line 23, after the word ‘who,’ to insert the words “after being given an opportunity of being heard.”—(*Mr. Herbert Samuel.*)

Agreed to.

<i>Sir F. Banbury</i>	...	...	...	...	...	...	...	...	117
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Amendment proposed—

“In page 4, line 27, to leave out Clause 4.”—(*Sir F. Banbury.*)

Question proposed, “That Clause 4 stand part of the Bill.”

<i>Mr. Herbert Samuel</i>	...	...	...	...	...	...	...	118
<i>Sir F. Banbury</i>	...	...	...	...	...	...	...	119

Amendment, by leave, withdrawn.

Amendments—

“In page 4, line 27, to leave out the words ‘It shall be the duty of.’”—(*Sir F. Banbury.*)

“In page 4, line 27, after the word ‘authority’ to insert the word ‘may.’”—(*Sir F. Banbury.*)

“In page 4, line 38, after the word ‘immorality,’ to insert the words ‘criminal conduct.’”

“In page 5, line 4, after the word ‘apply,’ to insert the words ‘either to a justice or.’”

“In page 5, line 11, after the word ‘and,’ to insert the words ‘(a) If the order was made by a justice, the order may be enforced by

the visitor or by any constable ; and (b) if the order was made by the local authority.' "

"In page 5, line 34, after the word 'directly,' to insert the words 'or indirectly.'"—(Mr. Herbert Samuel.)

**Agreed to.**

[illegible]

**Amendment proposed—**

“In page 7, line 9, after the word ‘purposes,’ to insert the words ‘or to any religious or charitable society which shall pay any person for keeping an infant, or the person so employed provided that the society has appointed a person who shall visit, inspect and report to the society on the state of such infant at least once in each three months.’—(*Mr. Charles Craig.*)

**Question proposed, "That those words be there inserted."**

<i>Mr. Herbert Samuel</i>	...	...	...	...	...	...	...	<b>121</b>
<i>Mr. Chas. Craig</i>	...	...	...	...	...	...	...	<b>123</b>
<i>Sir F. Banbury</i>	...	...	...	...	...	...	...	<b>124</b>

**Amendment proposed to the proposed Amendment—**

“At the end, to add the words ‘and provided that such religious or charitable society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of this part of this Act.’”—(*Mr. Charles Craig.*)

Question proposed, "That those words be there added to the proposed Amendment."

<i>Mr. Herbert Samuel</i>	...	...	...	...	...	...	...	125
<i>Mr. Chas. Craig</i>	...	...	...	...	...	...	...	125

**Amendment, to the proposed Amendment, by leave, withdrawn.**

**Proposed Amendment to the Bill, by leave, withdrawn.**

<i>Mr. Akers-Douglas</i>	...	...	...	...	...	...	...	126
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**Amendment proposed—**

"In page 9, line 13, to leave out Clause 13."—(Mr. Akers-Douglas.)

Question proposed, "That subsection (1) of Clause 13 stand part of the Bill."

<i>Mr. Herbert Samuel</i>	...	...	...	...	...	...	...	127
<i>Mr. Ashley (Lancashire, Blackpool)</i>			...	...	...	...	...	128
<i>Mr. Maclean</i>	...	...	...	...	...	...	...	128
<i>Mr. Rawlinson</i>	...	...	...	...	...	...	...	129
<i>Sir J. Jardine (Roxburghshire)</i>	...	...	...	...	...	...	...	130

**Amendment negatived.**

Sir F. Banbury	... ..	... ..	... ..
Mr. R. Duncan (Lanarkshire, Govan)	... ..	... ..	... ..

**Amendment proposed—**

**"In page 9, line 24, to leave out subsection (2) of Clause 13."—(Sir F. Banbury.)**

Question proposed, "That the words proposed to be left out stand part of the Bill."

**Mr. Cherry...**      ...      ...      ...      ...      ...      ...      ...      ...      **133**

**Amendment negatived.**

[illegible]

**"In page 9, to leave out Clause 14."**—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

<i>Mr. Herbert Samuel</i>	...	...	...	...	...	...	...	135
<i>Mr. Walter Long</i>	...	...	...	...	...	...	...	138
<i>Mr. H. J. Tennant</i>	...	...	...	...	...	...	...	140
<i>Sir F. Banbury</i>	...	...	...	...	...	...	...	140
<i>Mr. Wyndham (Dover)</i>	...	...	...	...	...	...	...	141
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<i>Sir Samuel Scott (Marylebone, W.)</i>			...	...	...	...	...	144
<i>Mr. Walsh (Lancashire, Ince)</i>	...	...	...	...	...	...	...	145
<i>Mr. Theodore Taylor</i>	...	...	...	...	...	...	...	146
<i>Sir W. J. Collins (St. Pancras, W.)</i>			...	...	...	...	...	147
<i>Mr. Rees</i>	...	...	...	...	...	...	...	147
<i>Mr. Rawlinson</i>	...	...	...	...	...	...	...	148

**The House divided :—Ayes, 177 ; Noes, 30. (Division List No. 246.)**

*Sir F. Banbury* ... .. 151

**Amendment proposed—**

“In page 10, line 24, to leave out subsection (2) of Clause 16.”—  
(*Sir F. Banbury.*)

**Question proposed, "That the words proposed to be left out stand part of the Bill."**

[illegible]

**The House divided: Ayes, 164; Noes, 29. (Division List No. 247.)**

And, it being Eleven of the Clock, further consideration of the Bill, as amended, stood adjourned.

**Bill, as amended (in the Standing Committee), to be further considered  
To-morrow.**

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House, without Question put.

**Adjourned at two minutes after Eleven o'clock.**

**HOUSE OF LORDS, TUESDAY, 13TH OCTOBER, 1908.**

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<i>The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe)</i> ... ..	162

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter past Four o'clock.

### HOUSE OF COMMONS, TUESDAY, 13TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

#### PETITIONS.

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#### RETURNS, REPORTS, &c.

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*Mr. Jesse Collings* ... 275

*Mr. Moore* ... 276

Question put, and agreed to.

Amendment proposed—

"That Clause 41 be omitted."—(*Mr. Herbert Samuel.*)

Amendment agreed to.

*Sir F. Banbury* ... 277

*Mr. Moore* ... 278

Amendment proposed—

"In page 24, line 1, to leave out Clause 42."—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out, to the word 'is,' in page 24, line 3, stand part of the Bill."

*Mr. Herbert Samuel* ... 279

*Mr. Walter Long* ... 280

Question put.

The House divided:—Ayes, 201; Noes, 56. (Division List No. 253.)

*Lord R. Cecil* ... 287

And, it being Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended (in the Standing Committee), to be further considered To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House, without Question put.

Adjourned at one minute after Eleven o'clock.

HOUSE OF LORDS: WEDNESDAY, 14TH OCTOBER, 1908.

RETURNS, REPORTS, ETC.

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Presented (by Command), and ordered to lie on the Table ... 289

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The House met at a quarter before Three of the Clock.

PETITIONS.

**Elementary Education (England and Wales Bill).**—2 Petitions in favour; to lie upon the Table ... 289

**Licensing Bill.**—5 Petitions against; to lie upon the Table. 5 Petitions in favour; to lie upon the Table ... 289

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"In page 18, line 39, to leave out the words 'In any proceeding,' and insert the words 'As respects proceedings.'"

"In page 18, line 41, to leave out from the word 'Act,' to end of clause, and to insert the words 'The Criminal Evidence Act, 1898, shall apply as if in the Schedule to that Act a reference to this Part of this Act and to the First Schedule to this Act were substituted for the reference to The Prevention of Cruelty to Children Act, 1894.'"

"In page 20, line 30, after the word 'evidence,' to insert the words 'under such circumstances that, if the evidence had been given on oath, he would have been guilty of perjury.'"

"In page 20, line 30, to leave out from the word 'shall,' to the word 'subject,' in line 32."

"In page 20, line 33, after the word 'Act,' to insert the words 'be liable on summary conviction to.'"

"In page 20, lines 33 and 34, to leave out the words 'is provided for by Section 11,' and insert 'might have been awarded had he been charged with perjury and the case been dealt with summarily under Section 10.'"—(*Mr. Herbert Samuel.*)

Amendments agreed to.

<i>Sir F. Banbury (City of London)</i> ...	...	...	...	...	...	173
<i>Mr. Lupton (Lincolnshire, Sleaford)</i> ...	...	...	...	...	...	175

Amendment proposed—

"In page 23, line 14, to leave out Clause 39."—(*Sir F. Banbury.*)

Question proposed, "That the words 'if any person' stand part of the Question."

<i>The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland)</i> ...	...	...	...	...	...	177
<i>Mr. Moore (Armagh, N.)</i> ...	...	...	...	...	...	184
<i>Mr. Lambton (Durham, S.E.)</i> ...	...	...	...	...	...	186
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<i>Mr. James Campbell (Dublin University)</i> ...	...	...	...	...	...	212

Question put.

The House divided :—Ayes, 231 ; Noes, 84. (Division List No. 248.)

<i>Mr. Bowles (Lambeth, Norwood)</i> ...	...	...	...	...	...	217
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Amendment proposed—

"In page 23, line 14, after the first word 'person,' to insert the word 'knowingly.'"—(*Mr. Bowles.*)

Question proposed, "That the word 'knowingly' be there inserted."—(*Mr. Bowles.*)

<i>Mr. Herbert Samuel</i> ...	...	...	...	...	...	218
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(In the Committee.)

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Clause 2.

*Earl Winterton (Sussex, Horsham)* ... .. 321

Amendment proposed—

“In page 2, line 8, to leave out subsection (1).”—(*Earl Winterton.*)

Question proposed, “That the word ‘if’ stand part of the clause.”

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Question proposed, "That the words proposed to be left out stand part of the Bill."

Amendment agreed to.

<i>Sir F. Banbury</i> ... ..	247
<i>Mr. Atherley Jones (Durham, N.W.)</i> ... ..	250

Amendment proposed—

"In page 23, line 24, to leave out Clause 40."—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out to the word 'boy' in page 23, line 27, stand part of the Bill."

<i>Mr. Herbert Samuel</i> ... ..	252
<i>Lord Balcarras (Lancs., Chorley)</i> ... ..	255
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<i>Mr. Wm. Rutherford</i> ... ..	261

Question put.

The House divided :—Ayes, 181 ; Noes, 61. (Division List No. 251.)

Amendment proposed —

"In page 23, line 27, to leave out the word 'boy' and to insert the word 'person.'"—(*Mr Herbert Samuel.*)

Amendment agreed to.

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<i>Mr. Lane Fox (Yorks., W. R., Barkston Ash)</i> ... ..	266
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Amendment negatived.

<i>Mr. Walter Guinness (Bury St. Edmunds)</i> ... ..	267
<i>Sir F. Banbury</i> ... ..	268

Amendment proposed—

"In page 23, line 32, at end, to insert words 'And if any cigarettes, cigarette papers, or other tobacco are so seized, it shall be reported to the chief officer of police for the district, who shall send a written notice of the fact to the parent or guardian of the person from whom they are seized.'"—(*Mr. Walter Guinness.*)

Question proposed, "That those words be there inserted."

<i>Mr. Herbert Samuel</i> ... ..	269
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Question put.

The House divided :—Ayes, 55 ; Noes, 207. (Division List No. 252.)

<i>Mr. Herbert Samuel</i> ... ..	273
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Amendment proposed—

"In page 23, line 32, at end to insert the words 'Provided that such constable, park-keeper, or other person as aforesaid shall not be authorised to search any person so found smoking.'"—(*Mr. Herbert Samuel.*)

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<i>Mr. Patrick White (Meath, N.)</i> ... ..	391

Question put, and negatived.

<i>Mr. Clavell Salter</i> ... ..	392
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Amendment proposed —

"In page 2, line 9, to leave out the words 'the grant of new licences,' and to insert the words 'any increase in the existing number of licences.'"—(*Mr. Clavell Salter.*)

Question proposed, "That the words 'the grant of new' stand part of the clause."

<i>Sir S. Evans</i> ... ..	393
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Question put.

The Committee divided:—Ayes, 230 ; Noes, 72. (Division List No. 257.)

<i>Mr. Leif Jones</i> ... ..	401
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Amendment proposed—

"In page 2, line 10, after the word 'in,' to insert the words 'any rural parish or urban area within.'"—(*Mr. Leif Jones.*)

Question proposed, "That those words be there inserted."

<i>The First Commissioner of Works (Mr. L. Harcourt, Lancashire, Rossendale)</i>	405
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Question put.

The Committee divided:—Ayes, 275 ; Noes, 108. (Division List No. 258.)

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Amendment proposed—

"In line 11, after the word 'district,' to insert the words 'or in any large borough as defined in Section 15 of this Act.'"—(*Mr. Stuart Wortley.*)

Question proposed, "That those words be there inserted."

<i>Sir S. Evans</i> ... ..	421
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“In page 18, line 39, to leave out the words ‘In any proceeding,’ and insert the words ‘As respects proceedings.’”

“In page 18, line 41, to leave out from the word ‘Act,’ to end of clause, and to insert the words ‘The Criminal Evidence Act, 1898, shall apply as if in the Schedule to that Act a reference to this Part of this Act and to the First Schedule to this Act were substituted for the reference to The Prevention of Cruelty to Children Act, 1894.’”

“In page 20, line 30, after the word ‘evidence,’ to insert the words ‘under such circumstances that, if the evidence had been given on oath, he would have been guilty of perjury.’”

“In page 20, line 30, to leave out from the word ‘shall,’ to the word ‘subject,’ in line 32.”

“In page 20, line 33, after the word ‘Act,’ to insert the words ‘be liable on summary conviction to.’”

“In page 20, lines 33 and 34, to leave out the words ‘is provided for by Section 11,’ and insert ‘might have been awarded had he been charged with perjury and the case been dealt with summarily under Section 10.’”—(*Mr. Herbert Samuel.*)

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Question proposed, “That the word ‘knowingly’ be there inserted.”—(*Mr. Bowles.*)

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Committee divided :—Ayes, 313 ; Noes, 117. (Division List No. 261.)

Progress was reported.

House resumed, Mr. SPEAKER in the Chair.

And, it being after Eleven of the Clock, the CHAIRMAN left the Chair to  
make his Report to the House.

Committee report Progress ; to sit again to-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July,  
adjourned the House without Question put.

Adjourned at twelve minutes after Eleven o'clock.

## RETURNS, REPORTS, ETC.

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"That Clause 41 be omitted."—(*Mr. Herbert Samuel.*)

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*Sir F. Banbury* ... .. 277

*Mr. Moore* ... .. 278

Amendment proposed—

"In page 24, line 1, to leave out Clause 42."—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out, to the word 'is,' in page 24, line 3, stand part of the Bill."

*Mr. Herbert Samuel* ... .. 279

*Mr. Walter Long* ... .. 280

Question put.

The House divided :—Ayes, 201 ; Noes, 56. (Division List No. 253.)

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And, it being Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended (in the Standing Committee), to be further considered To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House, without Question put.

Adjourned at one minute after Eleven o'clock.

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## HOUSE OF LORDS : WEDNESDAY, 14TH OCTOBER, 1908.

### RETURNS, REPORTS, ETC.

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**BUSINESS OF THE HOUSE.**—Ordered that the House, on its rising do adjourn to Tuesday next, except for Judicial Business ... .. 289

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## HOUSE OF COMMONS : WEDNESDAY, 14TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

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Considered in Committee.

(In the Committee.)

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Question put.

The Committee divided :—Ayes, 122 ; Noes, 314 . (Division List No. 259.)

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Question put, “ That the clause, as amended, stand part of the Bill.”

The Committee divided :—Ayes, 315 ; Noes, 117. (Division List No. 260.)

Committee report Progress ; to sit again To-morrow.

Whereupon, Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eight minutes before Eleven o'clock.

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## HOUSE OF COMMONS : THURSDAY, 15TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

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Amendment proposed—

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Question proposed, "That the words 'the grant of new' stand part of the clause.

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The Committee divided:—Ayes, 230 ; Noes, 72. (Division List No. 257.)

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Amendment proposed—

"In page 2, line 10, after the word 'in,' to insert the words 'any rural parish or urban area within.'"—(*Mr. Leif Jones.*)

Question proposed, "That those words be there inserted."

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The Committee divided:—Ayes, 275 ; Noes, 108. (Division List No. 258.)

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Amendment proposed—

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Question proposed, "That those words be there inserted."

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## Amendment proposed—

“In page 24, line 28, to leave out the words ‘any cigar made of,’ and to insert the word ‘cut.’”—(*Mr. Herbert Samuel*).

Question, “That the words proposed to be left out stand part of the Bill,” put, and negatived.

Question proposed, “That the word ‘cut’ be there inserted.”

*Mr. Rawlinson* ... 775

*Lord R. Cecil* ... 775

Question put, and agreed to.

*Lord R. Cecil* ... 776

## Amendment proposed—

“In page 24, line 40, to leave out the word ‘cigarettes’ and insert the word ‘tobacco.’”—(*Lord R. Cecil*).

Question proposed, “That the word ‘tobacco’ stand part of the Bill.”

*Mr. Herbert Samuel* ... 776

*Mr. Rawlinson* ... 777

Amendment, by leave, withdrawn.

## Amendment proposed.

“In page 28, line 6, after the word ‘supervision’ to insert the word ‘recall.’”—(*Mr. Herbert Samuel*).

Amendment agreed to.

*Mr. Staveley Hill (Staffordshire, Kingswinford)* ... 777

*Sir F. Banbury* ... 777

## Amendment proposed—

“In page 28, line 22, after the word ‘establishing,’ to insert the words ‘with the approval of the Secretary of State.’”—(*Mr. Staveley Hill*).

Question proposed, “That those words be there inserted.”

*Mr. Herbert Samuel* ... 778

Amendment negatived.

*Captain Craig* ... 778

*Sir F. Banbury* ... 781

## Amendment proposed—

“In page 24, line 27, to leave out subsection (1).”—(*Captain Craig*).

Question proposed, “That the words proposed to be left out stand part of the Bill.”

*Mr. Herbert Samuel* ... 781

*Sir Francis Powell (Wigan)* ... 782

*Viscount Morpeth (Birmingham, S.)* ... 782

*Colonel Lockwood (Essex, Epping)* ... 783

*Mr. Rawlinson* ... 783

*Mr. Theodore Taylor (Lancashire, Radcliffe)* ... 784

*Mr. Rupert Guinness (Shoreditch, Haggerston)* ... 785

*Mr. Toulmin (Bury, Lancashire)* ... 785

*Mr. Staveley-Hill* ... 785

*Captain Craig* ... 785

Amendment, by leave, withdrawn.

HOUSE OF COMMONS: FRIDAY, 16TH OCTOBER, 1908.

The House met at Twelve noon of the Clock.

PRIVATE BILL BUSINESS.

<b>Education Board Provisional Orders Confirmation (Cornwall, etc.) Bill</b> [LORDS]; reported, without Amendment [Provisional Orders confirmed]. Report to lie upon the Table. Bill to be read the third time upon Tuesday next ... ..	605
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PETITIONS.

<b>Licensing Bill.</b> —11 Petitions against; to lie upon the Table. 6 Petitions in favour; to lie upon the Table ... ..	605
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<b>Railway Accidents.</b> —Returns of Accidents and Casualties as reported to the Board of Trade by the several Railway Companies in the United Kingdom during the six months ended 30th June, 1908; to lie upon the Table ...	605
<b>Old-Age Pensions Act.</b> —Copy presented, of Financial Instructions for Pension Committees and Sub-Committees; to lie upon the Table, and to be printed. [No. 302.] Copy presented, of Old-Age Pensions Regulations, 1908; to lie upon the Table, and to be printed. [No. 303] ... ..	605
<b>Bankruptcy Rules.</b> —General Rule, in substitution for Rule 103 of the Bankruptcy Rules, 1886; to lie upon the Table ... ..	606
<b>Shop Hours Act, 1904.</b> —Order made by the Council of the County Borough of Salford; to lie upon the Table ... ..	606

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**Licensing Bill.**—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 3 :—

<i>Mr. James Hope (Sheffield, Central)</i> ... ..	614
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Amendments agreed to.

Amendments proposed—

“In page 41, line 24, to leave out the words ‘or that he habitually wandered from place to place.’”

“In page 41, line 39, at end, to insert the words ‘(c) Being a child who had no settled place of abode and who habitually wandered from place to place through the districts of various local education authorities; or.’”—(*Mr. Herbert Samuel.*)

Amendments agreed to.

*Sir F. Banbury* ... .. 790

Amendment proposed—

“In page 42, line 36, after the word ‘borough,’ to insert the words ‘and in the case of the City of London, the mayor, aldermen, and commons of that city, in common council assembled.’”—(*Sir F. Banbury.*)

Question proposed, “That those words be there inserted.”

*Mr. Herbert Samuel* ... .. 791

*Sir F. Banbury* ... .. 792

Amendment, by leave, withdrawn.

*Mr. Rees (Montgomery Boroughs)* ... .. 793

Amendment proposed—

“In page 43, line 20, to leave out the words ‘or vice versa,’ and insert the words ‘or having been originally ordered to be sent to an industrial school he is subsequently transferred to or ordered by a Court to be sent to a reformatory school.’”—(*Mr. Herbert Samuel*)

Amendment agreed to.

*Sir F. Banbury* ... .. 793

Amendment proposed—

“In page 48, line 39, to leave out the word ‘a Secretary of State may authorise,’ and to insert the words ‘may be declared by Order in Council to represent approximately the average cost of such training and meals.’”—(*Sir F. Banbury.*)

Question proposed, “That the words proposed to be left out stand part of the Bill.”

*Mr. Herbert Samuel* ... .. 795

*Lord R. Cecil* ... .. 796

*Mr. Cochrane (Ayrshire, N.)* ... .. 797

*Mr. Herbert Samuel* ... .. 797

Amendment, by leave, withdrawn.

Amendment proposed—

“In page 52, to leave out Clause 90.”—(*Mr. Herbert Samuel.*)

Amendment agreed to.

Amendments proposed—

“In page 55, line 31, at end, to add the words ‘and the certificate shall be produced to the Court before which the person is brought.’”

“In page 56, lines 7 and 8, to leave out the words ‘ought not to be so committed,’ and to insert the words ‘is not a fit person to be so detained.’”



The Committee divided :—Ayes, 287 ; Noes, 119. (Division List No. 263.)  
And, it being Five of the clock, the CHAIRMAN proceeded, in pursuance of the Order of the 17th July, to put the Question on an Amendment of which notice had been given by the Government.

Another Amendment proposed—

“ In page 3, line 13, to leave out the words ‘on-licence,’ and insert the words ‘licence (whether an on-licence or an off-licence).’ ”—  
(*Mr. L. Harcourt.*)

Question, “ That the Amendment be made,” put, and agreed to.

Whereupon the CHAIRMAN left the Chair to make his report to the House.

Committee report Progress ; to sit again upon Monday next.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at two minutes after Five o’clock till Monday next.

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## HOUSE OF COMMONS: MONDAY, 19TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

### PETITIONS.

<b>Children Bill.</b> —Three Petitions in favour ; to lie upon the Table	693
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### RETURNS, REPORTS, ETC.

<b>Factory and Workshop Act (Special Exception—Meal Times).</b> —Order extending the special exceptions to Florists’ Workshops ; to lie upon the Table	693
<b>Factory and Workshop Act (Special Exception—Holidays).</b> —Order granting a special exception in respect of the women and young persons employed in (a) Florists’ Workshops, (b) Hospital Laundries in Scotland ; to lie upon the Table	694
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*Mr. Herbert Samuel* ... .. 827

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Question, "That these words be there inserted," put, and agreed to.

Amendments proposed—

"In Schedule 3, page 85, line 3, in the third column, before the word 'In,' to insert the words 'Subsection 1 of Section 5 from the words 'and if the young person is a male,' to end of subsection.'"—  
(*Mr. Cherry.*)

"In Schedule 3, page 85, lines 16 and 17, to leave out the words 'before he is sent to such reformatory school, and to insert the word "as if he or she had been sworn.'"—(*Mr. Herbert Samuel.*)

Amendments agreed to.

*Mr. Herbert Samuel* ... .. 830

Motion made, and Question proposed, "That the Bill be now read a third time."

*Mr. Akers-Douglas (Kent, St. Augustine's)* ... .. 831

*Mr. Lupton (Lincolnshire, Sleaford)* ... .. 831

Bill read the third time, and passed.

**White Phosphorus Matches Prohibition Bill.**—Order for Second Reading read.

*The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.)* ... .. 832

Motion made and Question proposed, "That the Bill be now read a second time."

*Mr. Akers-Douglas (Kent, St. Augustines)* ... .. 832

Question put, and agreed to.

Bill read a second time, and committed to a Standing Committee.

**London and District Electricity Supply Bill [LORDS] (BY ORDER).**

*The Parliamentary Secretary to the Board of Trade (Sir H. Kearley, Devonport)* ... .. 833

Motion made, and Question proposed, "That it be an Instruction to the Committee to insert in the Bill a provision conferring purchasing powers on the London County Council. That any person affected by such a provision shall be entitled to be heard before the Committee upon any Petition presented not later than 22nd October."—(*Sir H. Kearley.*)

*Mr. Rowlands (Kent, Dartford)* ... .. 835

*Mr. Whitehead (Essex, S.E.)* ... .. 840

Amendment proposed—

"In line 2, to leave out the words 'the London County Council,' and to insert the words 'a central authority composed of representatives of the municipal authorities owning their electrical supplies within the area covered by the Bill.'—(*Mr. Rowlands.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*Sir John Benn (Devonport)* ... .. 841

*Mr. Radford (Islington, E.)* ... .. 844

*Sir Edwin Cornwall (Bethnal Green, N.E.)* ... .. 846

*Mr. Bonar Law (Camberwell, Dulwich)* ... .. 849

*Mr. Dickinson (St. Pancras, N.)* ... .. 853

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Reports to lie upon the Table ... 766

**Children Bill.**—As amended (in the Standing Committee), further considered.

*Captain Craig (Down, E.)* ... 767

Amendment proposed—

“In page 24, line 4, after the word ‘persons,’ to insert the words ‘for the purpose of obtaining cigarettes for his own use or that of other children or young persons.’”—(*Captain Craig.*)

Question proposed, “That those words be there inserted.”

*The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland)* ... 767

Amendment negatived.

Amendment proposed—

“In page 24, line 9, after the word ‘order,’ to insert the words ‘Provided that any person aggrieved by such an order may appeal against it to a Court of Quarter Sessions.’”—(*Lord R. Cecil.*)

Question proposed, “That those words be there inserted.”

*Mr. Herbert Samuel* ... 768

Amendment agreed to

Amendment proposed—

“In page 24, line 16, to leave out the words ‘or purchase.’”

“In page 24, line 19, to leave out the words ‘by whom they are bought.’”

“In page 24, line 21, after the word ‘business’ to insert the words ‘or was a uniformed boy messenger in the employment of a messenger company and employed as such at the time.’”

Amendments agreed to.

*Mr. Rawlinson (Cambridge University)* ... 768

Amendment proposed—

“In page 24, line 21, after the word ‘business’ to insert the words ‘or was *bona fide* employed as a messenger at the time.’”—(*Mr. Rawlinson.*)

Question proposed, “That those words be there inserted.”

*Mr. Herbert Samuel* ... 769

*Sir F. Banbury (City of London)* ... 769

*Lord R. Cecil (Marylebone, E.)* ... 770

*Captain Craig* ... 771

Question put.

The House divided :—Ayes, 65 ; Noes, 204. (Division List No. 264.)

Amendment proposed—

“In page 24, line 21, to leave out from the word ‘business’ to the end of clause.”—(*Mr. Herbert Samuel.*)

Amendment agreed to.

*Mr. Herbert Samuel* ... 773

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SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Reports to lie upon the Table ... .. 766

**Children Bill.**—As amended (in the Standing Committee), further considered.

*Captain Craig (Down, E.)* ... .. 767

Amendment proposed—

“In page 24, line 4, after the word ‘persons,’ to insert the words ‘for the purpose of obtaining cigarettes for his own use or that of other children or young persons.’”—(*Captain Craig.*)

Question proposed, “That those words be there inserted.”

*The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland)* ... .. 767

Amendment negatived.

Amendment proposed—

“In page 24, line 9, after the word ‘order,’ to insert the words ‘Provided that any person aggrieved by such an order may appeal against it to a Court of Quarter Sessions.’”—(*Lord R. Cecil.*)

Question proposed, “That those words be there inserted.”

*Mr. Herbert Samuel* ... .. 768

Amendment agreed to

Amendment proposed—

“In page 24, line 16, to leave out the words ‘or purchase.’”

“In page 24, line 19, to leave out the words ‘by whom they are bought.’”

“In page 24, line 21, after the word ‘business’ to insert the words ‘or was a uniformed boy messenger in the employment of a messenger company and employed as such at the time.’”

Amendments agreed to.

*Mr. Rawlinson (Cambridge University)* ... .. 768

Amendment proposed—

“In page 24, line 21, after the word ‘business’ to insert the words ‘or was bona fide employed as a messenger at the time.’”—(*Mr. Rawlinson.*)

Question proposed, “That those words be there inserted.”

*Mr. Herbert Samuel* ... .. 769

*Sir F. Banbury (City of London)* ... .. 769

*Lord R. Cecil (Marylebone, E.)* ... .. 770

*Captain Craig* ... .. 771

Question put.

The House divided :—Ayes, 65 ; Noes, 204. (Division List No. 264.)

Amendment proposed—

“In page 24, line 21, to leave out from the word ‘business’ to the end of clause.”—(*Mr. Herbert Samuel.*)

Amendment agreed to.

*Mr. Herbert Samuel* ... .. 773

On Question, Amendment agreed to.

*Lord Ashbourne* ... .. 894

Amendment moved—

“In page 2, line 5, to insert the words ‘one to be resident in England, one to be resident in Ireland, and one to be resident in Scotland.’”—(*Lord Ashbourne*).

*Lord Ampthill* ... .. 895

*Viscount Wolverhampton* ... .. 894

On Question, Amendment agreed to.

*Lord Ampthill* ... .. 895

Amendment moved—

“In page 2, line 10, to leave out the word ‘six,’ and to insert the word ‘seven.’”—(*Lord Ampthill*.)

On Question, Amendment agreed to.

Amendment moved—

“In page 2, line 15, after the word ‘Scotland,’ to insert the words ‘one shall be elected by the nurses registered in the general register whose registered address is in Ireland.’”—(*Viscount Wolverhampton*.)

On Question, Amendment agreed to.

*Lord Balfour of Burleigh* ... .. 895

*Lord Ampthill* ... .. 896

*Lord Balfour of Burleigh* ... .. 897

*The Earl of Crewe*... .. 897

Consequential and drafting Amendments agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 8 agreed to.

Clause 9:

Consequential Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10:

Drafting and consequential Amendments agreed to.

*Lord Ashbourne* ... .. 898

Amendment moved—

“In page 5, line 11, after the word ‘Act,’ to insert ‘The Council may appoint three or more members to act as a committee for Ireland and for Scotland respectively, and may authorise each such committee subject to revision or approval by the Council, to transact any business of the Council concerning Ireland or Scotland, respectively, which the Council may think it expedient to delegate to such committee.’”—(*Lord Ashbourne*.)

*Viscount Wolverhampton* ... .. 898

Amendment, by leave, withdrawn.

*The Marquess of Salisbury*... .. 898

*Viscount Wolverhampton* ... .. 899

Clause 10, as amended, agreed to.





Clause 14 :  
Consequential Amendment agreed to.  
Clause 14, as amended, agreed to.

Clause 15 :  
Drafting Amendment agreed to.

*Lord Ampthill* ... .. 905

Amendment moved—  
“In page 6, line 17, to leave out the word ‘shall,’ and to insert the word ‘may,’ and in line 18, to leave out the word ‘may,’ and to insert the word ‘shall.’”—(*Lord Ampthill.*)

*Lord Balfour of Burleigh* ... .. 906  
*The Earl of Crewe* ... .. 906

On Question Amendment, as amended, agreed to.

Clause 15, as amended, agreed to.  
Clause 16 agreed to.

Clause 17 :  
*Lord Ampthill* ... .. 906

Amendment moved—  
“In page 6, line 37, to leave out the words ‘commencement of this Act,’ and to insert the words ‘publication of the first Annual Register of Nurses registered under this Act.’”—(*Lord Ampthill.*)

On Question, Amendment agreed to.  
Consequential Amendment agreed to.  
Clause 17, as amended, agreed to.

Clause 18 agreed to.  
Clause 19 :  
Consequential Amendment agreed to.  
Clause 19, as amended, agreed to.

Clause 20 :  
*Lord Ampthill* ... .. 907  
*Lord Ashbourne* ... .. 907

Amendment moved—  
“In page 7, line 35, after the word ‘person,’ to insert the words ‘or by legal representation if he or she so desires.’”—(*Lord Ashbourne.*)

*Viscount Wolverhampton* ... .. 908

Amendment, by leave, withdrawn.

Clause 20 agreed to

Clause 21 :  
*Lord Ashbourne* ... .. 908

Amendment moved—  
“In page 7, line 39, after the word ‘therefrom,’ to insert the words ‘according to his or her registered place of residence, either,’ and after the word ‘Wales,’ to insert the words ‘or to the High Court of Justice in Ireland.’”—(*Lord Ashbourne.*)

*Lord Ampthill* ... .. 909  
*Viscount Wolverhampton* ... .. 909  
*Lord Stanley of Alderley* ... .. 909

Amendment proposed—

“In page 71, line 15, at end, to insert the words ‘The expression “intoxicating liquor” means any fermented, distilled, or spirituous liquor which cannot according to any law for the time being in force be legally sold without a licence from the Commissioners of Inland Revenue.’”—(*Mr. Herbert Samuel.*)

Question proposed, “That those words be there inserted.”

*Mr. Bowles*... .. 828

Question put, and agreed to.

*The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange)* ... 829

Amendment proposed—

“In page 77, line 23, to leave out subsection (7), and to insert the words: ‘42 & 43 Vict., c. 49. 47 and 48 Vict., c. 19. (7) References to the Summary Jurisdiction Act, 1879, shall, save as otherwise provided in this subsection, be construed as references to the Summary Jurisdiction over Children (Ireland) Act, 1834, and the reference to Section 10 of the first-mentioned Act shall be construed as a reference to Section 4 of the last-mentioned Act. 14 & 15 Vict., c. 93. The reference to the provisions of the first-mentioned Act with respect to recognisances to be of good behaviour shall be construed as a reference to the provisions of the Petty Sessions (Ireland) Act, 1851, with respect to recognisances to keep the peace. The reference to the First Schedule of the first-mentioned Act shall not apply. For the provisions of this Act giving power to make rules under the first-mentioned Act, the following provision shall be substituted: The Lord Chancellor of Ireland may make rules regulating the procedure of Courts of Summary Jurisdiction under this Act, and other matters incidental thereto, and all rules so made shall be laid as soon as may be before both Houses of Parliament.’”—(*Mr. Cherry.*)

Amendment agreed to.

Amendments proposed—

“In page 79, line 37, after the word ‘Board,’ to insert the words ‘for Ireland.’”

“In page 80, line 39, after the word ‘1907,’ to insert the words ‘or any of those Acts.’”

“In page 81, line 29, after the word ‘Board’ to insert the words ‘for Ireland.’”

“In page 81, line 32, to leave out the words ‘district board,’ and to insert the words ‘managers of a district Poor Law school.’”—(*Mr. Cherry.*)

Amendments agreed to.

*Mr. Cherry*... .. 830

Amendment proposed—

“In page 81, line 37, at end, to add the words: ‘61 & 62 Vict., c. 36. The reference to the Criminal Evidence Act, 1898, shall not apply, but in any proceeding against any person for an offence under Part II. of this Act, or for any of the offences mentioned in the First Schedule to this Act, such person shall be competent but not compellable to give evidence, and the wife or husband of such person may be required to attend to give evidence as an ordinary witness in the case, and shall be competent but not compellable to give evidence.’”—(*Mr. Cherry.*)

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<b>Persons under Police Protection in Ireland</b> ... ..	915
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<b>Newfoundland Fisheries Settlement</b> ... ..	931

Amendment proposed—

“In page 71, line 15, at end, to insert the words ‘The expression “intoxicating liquor” means any fermented, distilled, or spirituous liquor which cannot according to any law for the time being in force be legally sold without a licence from the Commissioners of Inland Revenue.’”—(*Mr. Herbert Samuel.*)

Question proposed, “That those words be there inserted.”

*Mr. Bowles...* ... 828

Question put, and agreed to.

*The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange)* ... 829

Amendment proposed—

“In page 77, line 23, to leave out subsection (7), and to insert the words: ‘42 & 43 Vict., c. 49. 47 and 48 Vict., c. 19. (7) References to the Summary Jurisdiction Act, 1879, shall, save as otherwise provided in this subsection, be construed as references to the Summary Jurisdiction over Children (Ireland) Act, 1834, and the reference to Section 10 of the first-mentioned Act shall be construed as a reference to Section 4 of the last-mentioned Act. 14 & 15 Vict., c. 93. The reference to the provisions of the first-mentioned Act with respect to recognisances to be of good behaviour shall be construed as a reference to the provisions of the Petty Sessions (Ireland) Act, 1851, with respect to recognisances to keep the peace. The reference to the First Schedule of the first-mentioned Act shall not apply. For the provisions of this Act giving power to make rules under the first-mentioned Act, the following provision shall be substituted: The Lord Chancellor of Ireland may make rules regulating the procedure of Courts of Summary Jurisdiction under this Act, and other matters incidental thereto, and all rules so made shall be laid as soon as may be before both Houses of Parliament.’”—(*Mr. Cherry.*)

Amendment agreed to.

Amendments proposed—

“In page 79, line 37, after the word ‘Board,’ to insert the words ‘for Ireland.’”

“In page 80, line 39, after the word ‘1907,’ to insert the words ‘or any of those Acts.’”

“In page 81, line 29, after the word ‘Board’ to insert the words ‘for Ireland.’”

“In page 81, line 32, to leave out the words ‘district board,’ and to insert the words ‘managers of a district Poor Law school.’”—(*Mr. Cherry.*)

Amendments agreed to.

*Mr. Cherry...* ... 830

Amendment proposed—

“In page 81, line 37, at end, to add the words: ‘61 & 62 Vict., c. 36. The reference to the Criminal Evidence Act, 1398, shall not apply, but in any proceeding against any person for an offence under Part II. of this Act, or for any of the offences mentioned in the First Schedule to this Act, such person shall be competent but not compellable to give evidence, and the wife or husband of such person may be required to attend to give evidence as an ordinary witness in the case, and shall be competent but not compellable to give evidence.’”—(*Mr. Cherry.*)

## Amendment proposed—

"In page 3, line 18, to leave out subsection (2), and to insert '(2) On the termination of the reduction period: (a) The foregoing provisions of this Act as to local option shall take effect as if a majority of two-thirds of the votes given were required for the carrying of a resolution instead of a bare majority; and (b) those provisions shall be extended in such manner as Parliament may determine so as to authorise a resolution limiting the number of licences to the number existing at the time, or reducing that number to any less number; and (c) a prohibitory resolution in force at the date of the termination of the reduction period shall cease to have effect, but the provision of this Act as to the interval required between the taking of polls shall not prevent a poll being taken on a further resolution, although three years have not elapsed since the date of the poll on the resolution which has so ceased to take effect.'"—(Mr. L. Harcourt.)

Question proposed, "That the words proposed to be left out to the word 'after' in line 18, stand part of the clause."

Mr. A. J. Balfour (City of London)	...	...	...	...	...	958
Mr. Whitehead (Essex, S.E.)	...	...	...	...	...	964
Earl Winterton (Sussex, Horsham)	...	...	...	...	...	968
Mr. Belloc (Salford, S.)	...	...	...	...	...	970
Mr. F. E. Smith (Liverpool, Walton)	...	...	...	...	...	972
Mr. Leif Jones (Westmoreland, Appleby)	...	...	...	...	...	975
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Mr. Keir Hardie (Merthyr Tydvil)	...	...	...	...	...	988
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Mr. Wyndham (Dover)	...	...	...	...	...	998
Mr. L. Harcourt	...	...	...	...	...	999
Mr. Austen Chamberlain (Worcestershire, E.)	...	...	...	...	...	1002
Sir Thomas Whittaker	...	...	...	...	...	1004
Viscount Castlereagh	...	...	...	...	...	1005
Mr. Bennett (Oxfordshire, Woodstock)	...	...	...	...	...	1007
Sir Gilbert Parker (Gravesend)	...	...	...	...	...	1010
Lord Wolloughby de Eresby (Lincolnshire, Horncastle)	...	...	...	...	...	1013

And, it being half-past Seven of the Clock, the CHAIRMAN proceeded, in pursuance of the Order of the House of the 17th July, to put forthwith the Question on the Amendment already proposed from the Chair.

Question, "That the words proposed to be left out stand part of the clause," put, and negatived.

Question put, "That those words be there added."

The Committee divided:—Ayes, 295; Noes, 135. (Division List No. 270.)

The CHAIRMAN then proceeded to put forthwith the Question necessary to dispose of the Business to be concluded at half-past Seven of the Clock this day.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee divided:—Ayes, 301; Noes, 131. (Division List No. 271.)

## Clause 4:

Mr. Samuel Roberts (Sheffield, Ecclesall)	...	...	...	...	...	1021
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<i>Mr. Walter Guinness (Bury St. Edmunds)</i> ... ..	858
<i>The President of the Board of Trade (Mr. Churchill, Dundee)</i> ... ..	860
<i>Mr. John Ward (Stoke-on-Trent)</i> ... ..	862
<i>Mr. Rowlands</i> ... ..	866

Question put.

The House divided :—Ayes, 174 ; Noes, 86. (Division List No. 267.)

Main Question again proposed.

<i>Mr. Lough (Islington, W.)</i> ... ..	867
<i>Mr. Churchill</i> ... ..	873
<i>Mr. Pickersgill (Bethnal Green, S.W.)</i> ... ..	876

Mr. CHURCHILL rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 153 ; Noes, 144. (Division List No. 268.)

Question put accordingly.

The House divided :—Ayes, 212 ; Noes, 79. (Division List No. 269.)

Ordered, That it be an Instruction to the Committee to insert in the Bill a provision conferring purchasing powers on the London County Council. That any person affected by such a provision shall be entitled to be heard before the Committee upon any Petition presented not later than 22nd October.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty minutes after Eleven o'clock.

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## HOUSE OF LORDS: TUESDAY, 20TH OCTOBER, 1908.

EARL OF ROSSE.—Petition of William Edward Parsons, Earl of Rosse in the Peerage of Ireland, claiming a right to vote at the elections of Representing Peers for Ireland ; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

The Lord Ettrick ( <i>L. Napier</i> ) took the Oath ... ..	885
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## PRIVATE BILL BUSINESS.

THE STANDING ORDERS applicable to the following Bill have been complied with :—Local Government Provisional Order (No. 3).

The same was ordered to lie on the Table ... ..	885
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## RETURNS, REPORTS, &c.

**Trade Reports : Annual Series.**—No. 4146. Morocco ; No. 4147. Belgium ; No. 4148. United States ; No. 4149. Sweden ... .. 885

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**Mines (Royal Commission).**—Minutes of Evidence taken before the Royal Commission on Mines ... .. 886



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Laid before the House (pursuant to Act), and ordered to lie on the Table ... 1069

## THE CONDITION OF IRELAND.

<i>The Marquess of Londonderry</i>	...	...	...	...	...	...	1069
<i>Lord Clonbrock</i>	...	...	...	...	...	...	1078
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## INDIANS IN THE TRANSVAAL.

<i>Lord Ampthill</i>	...	...	...	...	...	...	1118
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Moved, "That an humble Address be presented to His Majesty for Papers relating to the imprisonment of Mr. Gandhi and other members of the Indian community in the Transvaal."—(*Lord Ampthill*.)

<i>The Earl of Crewe</i>	...	...	...	...	...	...	1125
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Motion, by leave, withdrawn.

## OLD-AGE PENSIONS ACT.

<i>The Earl of Camperdown</i>	...	...	...	...	...	...	1128
<i>The Chancellor of the Duchy of Lancaster (Lord Fitzmaurice)</i>	...	...	...	...	...	...	1129

House adjourned at half-past Eight o'clock, till To-morrow, a quarter past Four o'clock.

## HOUSE OF COMMONS, WEDNESDAY, 21ST OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

### PETITIONS.

<b>Children Bill.</b> —Petition in favour; to lie upon the Table	...	...	...	1132
<b>Education (Scotland) Bill.</b> —Petition for alteration; to lie upon the Table	...	...	...	1132
<b>Licensing Bill.</b> —Two Petitions against; to lie upon the Table. Petition for alteration; to lie upon the Table. Two Petitions in favour; to lie upon the Table	...	...	...	1132
<b>Poor Law Amendment (Scotland) Bill.</b> —Petition in favour; to lie upon the Table	...	...	...	1132
<b>Sale of Intoxicating Liquors on Sunday Bill.</b> —Two Petitions in favour; to lie upon the Table	...	...	...	1132
<b>Unemployment.</b> —Petition for legislation; to lie upon the Table	...	...	...	1132



**Nurses Registration Bill [H.L.]—Order of the Day read, for the House being put into Committee (on recommitment) :**

Moved, "That the House do resolve itself into the said Committee."—  
(*Lord Ampthill.*)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clause 1, agreed to.

Clause 2 :

*The Lord President of the Council (Viscount Wolverhampton.)*... 889

Amendment moved—

"In page 1, lines 8 and 9, to leave out the words 'of Nursing Education and Registration of,' and to insert the words 'for the Registration of Nurses in.'"—(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 1, line 10, to leave out the words 'trained nurse or.'"—  
(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 1, after line 12, to insert the words 'the term "Local Government Board" means in relation to Poor Law institutions in Scotland and Ireland the Local Government Board for Scotland and the Local Government Board for Ireland, respectively.'"—  
(*Viscount Wolverhampton.*)

*Lord Ampthill* ... 890

On Question, Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3 :

Consequential Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 :

*Lord Ampthill* ... 890

Amendment moved—

"In page 1, line 19, to leave out the word 'fifteen,' and insert the word 'sixteen.'"—(*Lord Ampthill.*)

*Lord Ashbourne* ... 891

*Viscount Wolverhampton* ... 892

*Lord Ampthill* ... 892

*The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe)* ... 893

On Question, Amendment agreed to.

*Lord Stanmore* ... 893

Amendment moved—

"In page 2, line 5, to leave out from the word 'Association,' to the end of paragraph (d)."—(*Viscount Wolverhampton.*)

*Viscount Wolverhampton* ... 893

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*Sir S. Evans* ... .. 1180

Amendment, by leave, withdrawn.

Drafting Amendment agreed to.

Amendment moved—

“In line 2, after the word ‘Scotland,’ to insert the words ‘and to the High Court of Justice in Ireland.’”—(*Viscount Wolverhampton*)

Amendment agreed to.

Clause 21, as amended, agreed to.

Clause 22 agreed to.

Clause 23:

Amendment moved—

“To leave out Clause 23.”—(*Viscount Wolverhampton*.)

On Question, Amendment agreed to.

Clause 24 agreed to.

<i>Lord Ampthill</i>	...	...	...	...	...	...	...	...	910
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Amendment moved—

“To insert the following new clause: ‘This Act shall not be construed to affect or apply to the gratuitous nursing of the sick by friends or members of a family, and also it shall not apply to any person attending the sick for hire, but who does not in any way assume to be a registered nurse under this Act.’”—(*Lord Ampthill*.)

<i>The Earl of Mayo</i>	...	...	...	...	...	...	...	911
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<i>The Marquess of Lansdowne</i>	...	...	...	...	...	...	...	911
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<i>Lord Ashbourne</i>	...	...	...	...	...	...	...	912
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<i>The Earl of Crewe</i>	...	...	...	...	...	...	...	912
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Amendment, by leave, withdrawn.

Title:

Amendment moved—

“In page 1, to leave out the words ‘qualifications of trained nurses, and to provide for their registration,’ and to insert the words ‘registration of nurses.’”—(*Viscount Wolverhampton*.)

On Question, Amendment agreed to.

Standing Committee negatived: The Report of Amendments to be received on Monday next, and Bill to be printed as amended. [No. 210.]

#### IRISH LOANS—RETURN.

<i>The Earl of Mayo</i>	...	...	...	...	...	...	...	913
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<i>Lord Denman</i>	...	...	...	...	...	...	...	913
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House adjourned at Six o'clock, till To-morrow, a quarter past Four o'clock.

#### HOUSE OF COMMONS: TUESDAY, 20TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

#### PETITIONS.

<b>Licensing Bill.</b> —16 Petitions against; to lie upon the Table	17 Petitions in	
favour; to lie upon the Table...	..	... .. 914

**Amendments proposed—**

“In page 5, line 2, to leave out the words ‘consultation with,’ and to insert the word ‘giving.’”

“In page 5, line 2, after the word ‘justices,’ to insert the words ‘an opportunity of consulting with them.’”—(*Mr. Solicitor-General.*)

**Amendments agreed to.**

Question put, “That the clause as amended, stand part of the Bill.”

The Committee divided:—Ayes, 302 ; Noes, 120. (Division List No. 281.)

**Clause 7 :****Amendment proposed—**

“In page 5, line 10, to leave out the words ‘extinguishing the licences accordingly,’ and to insert the words ‘if application is made for the renewal of any such licence, by refusing to renew the licence under the powers contained in the Licensing Acts, 1828 to 1906, in accordance with the provisions of those Acts.’”—(*Sir S. Evans.*)

Question put, and agreed.

Question put, “That Clause 7, as amended, stand part of the Bill.”

The Committee divided:—Ayes, 302 ; Noes, 120. (Division List No. 282.)

**Clause 8 :****Amendment proposed—**

“In page 5, line 22, after the word ‘shall,’ to insert the words ‘after considering any representations made with respect to the matter by persons appearing to the Commission to be interested.’”—(*Sir S. Evans.*)

Question put, and agreed to.

**Amendment proposed—**

“In page 5, line 23, at end, to insert the words ‘but where an old on-licence is so declared invalid, the provisions of this Act relating to the payment of compensation shall have effect as if the renewal of the licence had been refused by the licensing justices.’”—(*Sir S. Evans.*)

Question put, and agreed to.

Question put, “That Clause 8, as amended, stand part of the Bill.”

The Committee divided:—Ayes, 297 ; Noes, 119. (Division List No. 283.)

And, it being after Eleven of the Clock, the CHAIRMAN left the Chair to make his Report to the House.

Committee report Progress ; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Sixteen minutes after Eleven o'clock.

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## HOUSE OF LORDS: THURSDAY, 22ND OCTOBER, 1908.

**PETITION.**

**Children Bill.**—Petition against ; read, and ordered to lie on the Table ... 1289

**RETURNS, REPORTS, ETC.**

**South Africa.**—Correspondence and Returns as to retrenchments in the Transvaal and Orange River Colony Public Services and the South African Constabulary and Central South African Railways Administration 1289

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Bakers and the Eight Hours Bill ... ..	953
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**Post Office Sites Bill.**—Mr. Sydney Buxton, Mr. Crossley, and Mr. William Nicholson nominated Members of the Select Committee on the Post Office Sites Bill.—(*Mr. Joseph Pease.*) ... .. 954

SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Report to lie upon the Table ... .. 954

**Licensing Bill.**—Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 3 :

*The First Commissioner of Works* (Mr. L. Harcourt, Lancashire, Rossendale) ... .. 955

Amendment moved—

“To leave out Clause 9.”—(*Lord Ashbourne.*)

<i>Lord Denman</i>	...	...	...	...	...	...	...	...	1304
<i>Lord Atkinson</i>	...	...	...	...	...	...	...	...	1304
<i>The Marquess of Lansdowne</i>	...	...	...	...	...	...	...	...	1305

On Question, Amendment agreed to.

Clause 10 :

<i>Lord Clonbrock</i>	...	...	...	...	...	...	...	...	1306
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Amendment moved—

“To leave out Clause 10 and to insert as a new clause, ‘10. (1) If, in the opinion of the local authority, any dwelling house is not reasonably capable of being made fit for human habitation, or is in such a state that the occupation thereof should be immediately discontinued, it shall not be necessary for them, before obtaining a closing order, to serve a notice on the owner or occupier of the premises to abate the nuisance, and a justice may issue a summons for a closing order, and a closing order may be granted, although such a notice has not been served. (2) The Local Government Board may by order prescribe forms in substitution for those in the Fourth Schedule to the Act of 1890, and Section 32 of that Act shall have effect as if the forms so prescribed were referred to therein in lieu of the forms in that Schedule.’”—(*Lord Clonbrock.*)

<i>Lord Fitzmaurice</i>	...	...	...	...	...	...	...	...	1306
<i>Lord Ashbourne</i>	...	...	...	...	...	...	...	...	1307
<i>The Earl of Crewe</i>	...	...	...	...	...	...	...	...	1307
<i>Lord Clonbrock</i>	...	...	...	...	...	...	...	...	1307
<i>Lord Fitzmaurice</i>	...	...	...	...	...	...	...	...	1308

Amendment, by leave, withdrawn.

Clause 10 agreed to.

Clause 11 agreed to.

Clause 12 :

Drafting Amendment agreed to.

<i>The Earl of Mayo</i>	...	...	...	...	...	...	...	...	1308
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Amendment moved—

“In page 6, line 33, to leave out the words ‘one hundred’ and to insert the word ‘forty.’”—(*The Earl of Mayo.*)

<i>Lord Denman</i>	...	...	...	...	...	...	...	...	1308
<i>Lord Atkinson</i>	...	...	...	...	...	...	...	...	1309
<i>The Earl of Crewe</i>	...	...	...	...	...	...	...	...	1309

Amendment, by leave, withdrawn.

Clause 12 agreed to.

Clause 13 :

<i>The Earl of Pembroke and Montgomery</i>	...	...	...	...	...	...	...	...	1309
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Amendment moved—

“In page 6, line 35, to leave out the word ‘notwithstanding’ and to insert the words ‘subject to.’”—(*The Earl of Pembroke and Montgomery.*)

Amendment proposed:—

“In page 3, line 23, to leave out subsection (1).”—(*Mr. Samuel Roberts*)

Question proposed, “That subsection (1) stand part of the clause.”

<i>The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.)</i>	...	...	1025
<i>Sir E. Carson (Dublin University)</i>	...	...	1026
<i>Mr. Cave (Surrey, Kingston)</i>	...	...	1027
<i>Mr. James Hope (Sheffield, Central)</i>	...	...	1030
<i>Mr. Charles Roberts (Lincoln)</i>	...	...	1031
<i>Mr. G. D. Faber (York)</i>	...	...	1031
<i>Mr. John Ward (Stoke-on-Trent)</i>	...	...	1033
<i>Mr. Akers Douglas (Kent, St. Augustine's)</i>	...	...	1034
<i>Sir S. Evans</i>	...	...	1036
<i>Sir F. Banbury (City of London)</i>	...	...	1038
<i>Mr. Richardson (Nottingham, S.)</i>	...	...	1041
<i>Earl Winterton</i>	...	...	1042
<i>Mr. Clavell Salter (Hants, Basingstoke)</i>	...	...	1045
<i>Mr. Gretton (Rutland)</i>	...	...	1046

Question put.

The Committee divided:—Ayes, 249 ; Noes, 109. (Division List No. 272.)

<i>Mr. Cave</i>	...	...	1051
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Amendment proposed:—

“In page 3, line 25, after the word ‘to,’ to insert the words ‘refer or.’”—(*Mr. Cave.*)

Question proposed, “That those words be there inserted.”

<i>Sir S. Evans</i>	...	...	1054
<i>Mr. A. J. Balfour</i>	...	...	1055
<i>The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorks, Cleveland)</i>	...	...	1058
<i>Sir E. Carson (Dublin University)</i>	...	...	1060

Question put.

The Committee divided:—Ayes, 110 ; Noes, 270 (Division List No. 273.)

And, it being after Eleven of the Clock, the CHAIRMAN left the Chair to make his Report to the House.

Committee report Progress ; to sit again To-morrow.

OLD-AGE PENSIONS ACT, 1908.—Return presented, relative thereto [ordered 20th October ; Mr. Burns] ; to lie upon the Table, and to be printed. [No. 303.]

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eight minutes after Eleven o'clock.

## HOUSE OF LORDS: WEDNESDAY, 21ST OCTOBER, 1908.

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<b>Trade Reports : Annual Series.</b> —No. 4150. China (Wenchow).	No. 4151.
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Japan (Nagasaki). No. 4152. China (Foreign Trade, 1907).

Presented (by Command), and ordered to lie on the Table	...	1069
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**PRIVATE BILL BUSINESS.**

[THIRD READING.]

<b>Mr. Clough (Yorkshire, W.R., Skipton)</b>	...	...	...	...	...	1317
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**Licensing Bill.**—Two Petitions against; to lie upon the Table. Two Petitions in  
favour; to lie upon the Table ... .. 1319

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**Irish Land Commission.**—Copy presented, of Return of Advances made under the Irish Land Act, 1903, during the month of January, 1908; to lie upon the Table ... .. 1320

**South Africa.**—Correspondence and Returns as to Retrenchments in the Transvaal and Orange River Colony Public Services, and the South African Constabulary, and Central South African Railways Administration ; to lie upon the Table ... .. 1320

**PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.**—Inquiry into Charities (County of Berks), further Return relative thereto ; to be printed.  
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Amendment proposed:—

"In page 3, line 23, to leave out subsection (1)."—(*Mr. Samuel Roberts*)

Question proposed, "That subsection (1) stand part of the clause."

<i>The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.)</i>	...	...	1025
<i>Sir E. Carson (Dublin University)</i>	...	...	1026
<i>Mr. Cave (Surrey, Kingston)</i>	...	...	1027
<i>Mr. James Hope (Shaffield, Central)</i>	...	...	1030
<i>Mr. Charles Roberts (Lincoln)</i>	...	...	1031
<i>Mr. G. D. Faber (York)</i>	...	...	1031
<i>Mr. John Ward (Stoke-on-Trent)</i>	...	...	1033
<i>Mr. Akers Douglas (Kent, St. Augustine's)</i>	...	...	1034
<i>Sir S. Evans</i>	...	...	1036
<i>Sir F. Banbury (City of London)</i>	...	...	1038
<i>Mr. Richardson (Nottingham, S.)</i>	...	...	1041
<i>Earl Winterton</i>	...	...	1042
<i>Mr. Clavell Salter (Hants, Basingstoke)</i>	...	...	1045
<i>Mr. Gretton (Rutland)</i>	...	...	1046

Question put.

The Committee divided:—Ayes, 249; Noes, 109. (Division List No. 272.)

<i>Mr. Cave</i>	...	...	1051
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Amendment proposed:—

"In page 3, line 25, after the word 'to,' to insert the words 'refer or.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

<i>Sir S. Evans</i>	...	...	1054
<i>Mr. A. J. Balfour</i>	...	...	1055
<i>The Under-Secretary of State for the Home Department (Mr. Herbert Samuel, Yorks, Cleveland)</i>	...	...	1058
<i>Sir E. Carson (Dublin University)</i>	...	...	1060

Question put.

The Committee divided:—Ayes, 110; Noes, 270 (Division List No. 273.)

And, it being after Eleven of the Clock, the CHAIRMAN left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow.

OLD-AGE PENSIONS ACT, 1908.—Return presented, relative thereto [ordered 20th October; Mr. Burns]; to lie upon the Table, and to be printed. [No. 303.]

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at eight minutes past Four.

## HOUSE OF LORDS: WEDNE

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Question proposed, "That the words proposed to be left out, stand part of the clause."

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<i>Mr. Leif Jones</i> . . . . .	1442
<i>Mr. G. D. Faber (York)</i> . . . . .	1443
<i>Mr. James Hope (Sheffield, Central)</i> . . . . .	1444
<i>Mr. Jesse Collings (Birmingham, Bordesley)</i> . . . . .	1447
<i>Mr. Remnant (Finsbury, Holborn)</i> . . . . .	1448
<i>Mr. Younger</i> . . . . .	1449
<i>Earl Winterton</i> . . . . .	1450
<i>Sir S. Evans</i> . . . . .	1450

Question put.

The Committee divided :—Ayes, 197 ; Noes, 66. (Division List No. 265.)

<i>Sir S. Evans</i> . . . . .	1453
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Amendment proposed—

"In page 5, line 29, after the words 'carried in,' to insert the words 'any rural parish or urban area.'"—(*Sir Samuel Evans.*)

Question proposed, "That those words be there inserted."

<i>Mr. Cave</i> . . . . .	1454
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Question put.

The Committee divided :—Ayes, 197 ; Noes, 66. (Division List No. 286.)

<i>Mr. Luttrell (Devonshire, Tavistock)</i> . . . . .	1457
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Amendment proposed—

"In page 5, lines 29 and 30, to leave out the words 'in Wales (including the County of Monmouth).'"—(*Mr. Luttrell.*)

Question proposed, "That the words 'in Wales' stand part of the clause."

<i>Sir S. Evans</i> . . . . .	1459
<i>Mr. Dunn (Cornwall, Camborne)</i> . . . . .	1460
<i>Mr. Cave</i> . . . . .	1460

Amendment, by leave, withdrawn.

<i>Mr. Lane-Fox (Yorks, W.R., Barkston Ash)</i> . . . . .	1461
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Amendment proposed—

"In page 5, lines 29 and 30, to leave out the words 'including the County of Monmouth.'"—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out, stand part of the clause."

<i>Sir Ivor Herbert (Monmouthshire, S.)</i> . . . . .	1462
<i>Mr. Courthope (Sussex, Rye)</i> . . . . .	1466
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<i>Mr. R. Duncan (Lanarkshire, Govan)</i> . . . . .	1475

Question put.

The Committee divided :—Ayes, 272 ; Noes, 103. (Division List No. 287.)

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<i>Mr. James Hope</i> ... ..	1183
<i>Mr. F. E. Smith (Liverpool, Walton)</i> ... ..	1184
<i>Mr. A. J. Balfour (City of London)</i> ... ..	1184
Amendment, by leave, withdrawn.	
<i>Mr. Walter Long</i> ... ..	1186
Amendment proposed—	
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Question proposed, “That those words be there inserted.”	
<i>Sir S. Evans</i> ... ..	1188
<i>Mr. Nield (Middlesex, Ealing)</i> ... ..	1189
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<i>Mr. A. J. Balfour</i> ... ..	1189
Amendment proposed—	
“In page 3, line 35, to leave out the words ‘as they have for the time being with respect to other on-licences.’”—( <i>Mr. A. J. Balfour.</i> )	
Question proposed, “That the words proposed to be left out stand part of the clause.”	
<i>Sir S. Evans</i> ... ..	1189
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<i>Sir S. Evans</i> ... ..	1191
Amendment, by leave, withdrawn.	
<i>Mr. Cave</i> ... ..	1192
Amendment proposed—	
“In page 4, line 3, at the end to insert the words ‘and the refusal shall not take effect until compensation has been paid, the licence when necessary being provisionally renewed or transferred for this purpose.’”—( <i>Mr. Cave.</i> )	
Question proposed, “That those words be there inserted.”	
<i>Sir S. Evans</i> ... ..	1193
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<i>Mr. Walter Long</i> ... ..	1198
<i>Sir S. Evans</i> ... ..	1199
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## Licensing Bill.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 10 :

*Mr. James Hope (Sheffield, Central)* ... .. 1492

Amendment proposed—

“In page 6, line 14, to leave out subsection (1).”—(*Mr. James Hope.*)

Question proposed, “That lines 14 and 15 stand part of the clause.”

<i>Mr. Charles Roberts (Lincoln)</i> ... ..	1497
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<i>Mr. Mond (Chester)</i> ... ..	1553

And, it being Five of the Clock, the CHAIRMAN left the Chair to make his Report to the House.

Committee report Progress ; to sit again upon Tuesday next.

House adjourned at Five o'clock.

HOUSE OF LORDS : MONDAY, 26TH OCTOBER, 1908.

PRIVATE BILL BUSINESS.

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[H.L.]—Returned from the Commons, agreed to ... .. 1557

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**Irish Land Commission.**—Return of advances made under the Irish Land Act, 1903, during the month of January, 1908.  
Presented (by Command) and ordered to lie on the Table ... 1289

**Housing of the Working Classes (Ireland) Bill.**—Order of the day for the House to be put into Committee, read.  
Moved, “That the House do now resolve itself into Committee.”—(*Lord Denman.*)  
On Question, Motion agreed to.  
House in Committee accordingly.  
[The Earl of ONSLOW in the Chair.]  
Clauses 1 and 2 agreed to.  
Clause 3 :  
*Lord Denman* ... 1290

Amendment moved—  
“In page 2, line 19, after the word ‘section’ to insert the words, ‘(2) All money re-borrowed under this section shall be repaid within the period fixed for the discharge of the original loan, and every loan for re-borrowing shall, for the purpose of the ultimate discharge, be deemed to form part of the same loan as the original loan, and the obligations of the local authority with respect to the discharge of the original loan shall not be in any way effected by means of the re-borrowing.’”—(*Lord Denman.*)  
*Lord Ashbourne* ... 1290  
*The Earl of Mayo* ... 1290  
*Lord Denman* ... 1290

On Question, Amendment agreed to.  
Clause 3, as amended, agreed to.  
Clause 4 agreed to.  
Clause 5 :  
*Lord Denman* ... 1291

Amendment moved—  
“In page 3, line 20, after the word ‘is’ to insert the words ‘in accordance with the provisions of subsection 4 of Section 238 of the Public Health (Ireland) Act, 1878, as amended by this Act.’”—(*Lord Denman.*)

On Question, Amendment agreed to.  
Amendment moved—  
“In page 3, line 20, after the word ‘pay’ to insert the words ‘or to set apart.’”—(*Lord Denman.*)  
On Question, Amendment agreed to.

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the Act of 1890, which, if no petition were presented, would take effect without confirmation, is petitioned against, the Local Government Board may, if it thinks fit, on the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner, and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme. (5) The same procedure shall be followed as to the publication and giving notices, and the same provisions shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order.'"—(*Viscount Midleton.*)

On Question, Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7 :—

*The Earl of Pembroke and Montgomery* ... .. 1298

Amendment moved—

“To leave out Clause 7.”—(*The Earl of Pembroke and Montgomery.*)

*Lord Denman* ... .. 1299

*Viscount Midleton* ... .. 1299

*The Earl of Crewe*... .. 1299

*The Marquess of Lansdowne* ... .. 1301

*Lord Fitzmaurice* ... .. 1302

Amendment, by leave, withdrawn.

Amendment moved—

“To add to Clause 7 the words ‘Provided always that no lodging-houses shall be established or acquired by any local authority under the provisions of this section, save with the consent of the Local Government Board and of the local authority within whose district it is proposed to establish or acquire such lodging-houses.’”—(*Marquess of Lansdowne.*)

On Question, Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8 :

*The Earl of Mayo* ... .. 1302

Amendment moved—

“In page 5, line 23, after the word ‘may’ to insert the words ‘with the consent of the Local Government Board.’”—(*The Earl of Mayo.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 :

*Lord Ashbourne* ... .. 1303

[pt. 22.]

Amendment moved—

“To leave out Clause 9.”—(*Lord Ashbourne.*)

<i>Lord Denman</i>	...	...	...	...	...	...	...	...	1304
<i>Lord Atkinson</i>	...	...	...	...	...	...	...	...	1304
<i>The Marquess of Lansdowne</i>	...	...	...	...	...	...	...	...	1305

On Question, Amendment agreed to.

Clause 10 :

<i>Lord Clonbrock</i>	...	...	...	...	...	...	...	...	1306
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Amendment moved—

“To leave out Clause 10 and to insert as a new clause, ‘10. (1) If, in the opinion of the local authority, any dwelling house is not reasonably capable of being made fit for human habitation, or is in such a state that the occupation thereof should be immediately discontinued, it shall not be necessary for them, before obtaining a closing order, to serve a notice on the owner or occupier of the premises to abate the nuisance, and a justice may issue a summons for a closing order, and a closing order may be granted, although such a notice has not been served. (2) The Local Government Board may by order prescribe forms in substitution for those in the Fourth Schedule to the Act of 1890, and Section 32 of that Act shall have effect as if the forms so prescribed were referred to therein in lieu of the forms in that Schedule.’”—(*Lord Clonbrock.*)

<i>Lord Fitzmaurice</i>	...	...	...	...	...	...	...	...	1306
<i>Lord Ashbourne</i>	...	...	...	...	...	...	...	...	1307
<i>The Earl of Crewe</i>	...	...	...	...	...	...	...	...	1307
<i>Lord Clonbrock</i>	...	...	...	...	...	...	...	...	1307
<i>Lord Fitzmaurice</i>	...	...	...	...	...	...	...	...	1308

Amendment, by leave, withdrawn.

Clause 10 agreed to.

Clause 11 agreed to.

Clause 12 :

Drafting Amendment agreed to.

<i>The Earl of Mayo</i>	...	...	...	...	...	...	...	...	1308
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Amendment moved—

“In page 6, line 33, to leave out the words ‘one hundred’ and to insert the word ‘forty.’”—(*The Earl of Mayo.*)

<i>Lord Denman</i>	...	...	...	...	...	...	...	...	1308
<i>Lord Atkinson</i>	...	...	...	...	...	...	...	...	1309
<i>The Earl of Crewe</i>	...	...	...	...	...	...	...	...	1309

Amendment, by leave, withdrawn.

Clause 12 agreed to.

Clause 13 :

<i>The Earl of Pembroke and Montgomery</i>	...	...	...	...	...	...	...	...	1309
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Amendment moved—

“In page 6, line 35, to leave out the word ‘notwithstanding’ and to insert the words ‘subject to.’”—(*The Earl of Pembroke and Montgomery.*)

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Amendment, by leave, withdrawn.	
<i>Lord Denman</i> ... ..	1313
Amendment moved—	
“In page 6, line 39, to leave out the word ‘or’ and to insert the words ‘and where the body corporate is a local authority may let out any such land on lease as if the land had been acquired under and for the purposes of Part III. of the Act of 1890, and where the body corporate is not a local authority may.’”—( <i>Lord Denman.</i> )	
On Question, Amendment agreed to.	
Amendment moved—	
“In page 7, line 11, after subsection (3) to insert the following new subsection :—‘(4) Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground or any land held on trusts which prohibit building thereon.’”—( <i>The Earl of Meath.</i> )	
<i>The Earl of Pembroke and Montgomery</i> ... ..	1315
On Question, Amendment, as amended, agreed to.	
Clause 13, as amended, agreed to.	
Clause 14 agreed to.	
Clause 15 :	
<i>Viscount Middleton</i> . . . . .	1315
Drafting Amendment agreed to.	
Clause 15, as amended, agreed to.	
Clauses 16 and 17 agreed to.	
Clause 18 :	
<i>Viscount Middleton</i> ... ..	1315
Amendment moved—	
“In page 8, line 17, after ‘1878’ to insert the words ‘The expression “working classes” shall mean mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants, whose income in any case does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.’”—( <i>Viscount Middleton.</i> )	
<i>Lord Denman</i> ... ..	1316
<i>Viscount Middleton</i> ... ..	1316
<i>The Marquess of Lansdowne</i> ... ..	1316
Amendment, by leave, withdrawn.	
Remaining clauses agreed to.	
Standing Committee negatived : The Report of Amendments to be received on Tuesday next, and Bill to be printed as amended. (No. 211.)	
House adjourned at twenty-five minutes before Seven o’clock, to Monday next, a quarter before Eleven o’clock.	

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## HOUSE OF COMMONS: THURSDAY, 22ND OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

## PRIVATE BILL BUSINESS.

**Education Board Provisional Orders Confirmation (Cornwall, etc.) Bill**  
[LORDS] (BY ORDER).

[THIRD READING.]

Order for Third Reading read.

*Mr. Clough (Yorkshire, W.R., Skipton)* ... 1317

Bill read the third time, and passed, without Amendment.

## PETITIONS.

**Licensing Bill.**—Two Petitions against; to lie upon the Table. Two Petitions in favour; to lie upon the Table ... 1319**Local Government (Scotland) Bill.**—Petition for alteration; to lie upon the Table ... 1319**Women's Enfranchisement Bill.**—Petition in favour; to lie upon the Table 1319

## RETURNS, REPORTS, &amp;c.

**East India (Decentralisation) (Royal Commission).**—Report of the Royal Commission on Decentralisation in India, with Appendices. Vol. I. and Minutes of Evidence, Vols. II. to X.; to lie upon the Table... 1319**Irish Land Commission.**—Copy presented, of Return of Advances made under the Irish Land Act, 1903, during the month of January, 1908; to lie upon the Table ... 1320**South Africa.**—Correspondence and Returns as to Retrenchments in the Transvaal and Orange River Colony Public Services, and the South African Constabulary, and Central South African Railways Administration; to lie upon the Table ... 1320**PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.**—Inquiry into Charities (County of Berks), further Return relative thereto; to be printed. [No. 307.] ... 1320

## QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

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SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had discharged the following Members from the Standing Committee C (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): Mr. Long and Mr. Myer; and had appointed in substitution (in respect of the said Bill): Captain Clive and Dr. Pollard.

Report to lie upon the Table.

### Licensing Bill.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 9 :

*Mr. Cave (Surrey, Kingston)* ... .. 1381

Amendment proposed—

“In page 5, line 26, to leave out subsection (1).”—(*Mr. Cave.*)

Question proposed, “That the words ‘If at any time after the’ stand part of the clause.”

<i>The Solicitor-General (Sir S. Evans, Glamorganshire, Mid.)</i> ... ..	1387
<i>Mr. Akers-Douglas (Kent, St. Augustine's)</i> ... ..	1388
<i>Sir Herbert Roberts (Denbighshire, W.)</i> ... ..	1390
<i>Mr. A. J. Balfour (City of London)</i> ... ..	1394
<i>The First Lord of the Admiralty Mr. McKenna, Monmouthshire, N.)</i> ...	1401
<i>Mr. F. E. Smith (Liverpool, Walton)</i> ... ..	1410
<i>Mr. William Jones (Carnarvonshire, Arfon)</i> ... ..	1417
<i>Earl Winterton (Sussex, Horsham)</i> ... ..	1420
<i>Mr. William Abraham (Glamorganshire, Rhondda)</i> .. .	1423
<i>Lord R. Cecil (Marylebone, E.)</i> ... ..	1424
<i>Mr. Ellis Davies (Carnarvonshire, Arfon)</i> ... ..	1426
<i>Sir Gilbert Parker (Gravesend)</i> ... ..	1428
<i>Mr. Maclean (Bath)</i> ... ..	1432
<i>Mr. Younger (Ayr Burghs)</i> ... ..	1434
<i>Mr. Wyndham (Dover)</i> ... ..	1435
<i>Mr. Gibbs (Bristol, W.)</i> ... ..	1436

Question put.

The Committee divided :—Ayes, 239 ; Noes, 93. (Division List No. 284.)

*Earl Winterton* ... .. 1439

Amendment proposed—

“In page 5, line 26, to leave out the words ‘passing this Act,’ and to insert the words ‘first day of January, nineteen hundred and sixteen.’”—(*Earl Winterton.*)

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Question proposed, "That the words proposed to be left out, stand part of the clause."

<i>Sir S. Evans</i> . . . . .	1441
<i>Mr. Akers Douglas</i> . . . . .	1441
<i>Mr. Leif Jones</i> . . . . .	1442
<i>Mr. G. D. Faber (York)</i> . . . . .	1443
<i>Mr. James Hope (Sheffield, Central)</i> . . . . .	1444
<i>Mr. Jesse Collings (Birmingham, Bordesley)</i> . . . . .	1447
<i>Mr. Remnant (Finsbury, Holborn)</i> . . . . .	1448
<i>Mr. Younger</i> . . . . .	1449
<i>Earl Winterton</i> . . . . .	1450
<i>Sir S. Evans</i> . . . . .	1450

Question put.

The Committee divided :—Ayes, 197 ; Noes, 66. (Division List No. 285.)

<i>Sir S. Evans</i> . . . . .	1453
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Amendment proposed—

"In page 5, line 29, after the words 'carried in,' to insert the words 'any rural parish or urban area.'"—(*Sir Samuel Evans.*)

Question proposed, "That those words be there inserted."

<i>Mr. Cave</i> . . . . .	1454
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Question put.

The Committee divided :—Ayes, 197 ; Noes, 66. (Division List No. 286.)

<i>Mr. Luttrell (Devonshire, Tavistock)</i> . . . . .	1457
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Amendment proposed—

"In page 5, lines 29 and 30, to leave out the words 'in Wales (including the County of Monmouth).'"—(*Mr. Luttrell.*)

Question proposed, "That the words 'in Wales' stand part of the clause."

<i>Sir S. Evans</i> . . . . .	1459
<i>Mr. Dunn (Cornwall, Camborne)</i> . . . . .	1460
<i>Mr. Cave</i> . . . . .	1460

Amendment, by leave, withdrawn.

<i>Mr. Lane-Fox (Yorks, W.R., Barkston Ash)</i> . . . . .	1461
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Amendment proposed—

"In page 5, lines 29 and 30, to leave out the words 'including the County of Monmouth.'"—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out, stand part of the clause."

<i>Sir Ivor Herbert (Monmouthshire, S.)</i> . . . . .	1462
<i>Mr. Courthope (Sussex, Rye)</i> . . . . .	1466
<i>Mr. Rees (Montgomery Boroughs)</i> . . . . .	1468
<i>Mr. Laurence Hardy (Kent, Ashford)</i> . . . . .	1470
<i>Sir S. Evans</i> . . . . .	1471
<i>Mr. Wyndham</i> . . . . .	1473
<i>Mr. Bridgeman (Shropshire, Oswestry)</i> . . . . .	1474
<i>Mr. R. Duncan (Lanarkshire, Govan)</i> . . . . .	1475

Question put.

The Committee divided :—Ayes, 272 ; Noes, 103. (Division List No. 287.)



And, it being after half-past Ten of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question on the Amendments proposed by the Government of which Notice had been given.

Amendments made—

“In page 5, line 30, to leave out the word ‘section,’ and to insert the word ‘Act.’”—(*Sir Samuel Evans.*)

“In page 5, line 31, after the word ‘shall,’ to insert the words ‘within such time as the Licensing Committee may fix.’”—(*Sir Samuel Evans.*)

The CHAIRMAN then proceeded to put forthwith the Question necessary to dispose of the Business to be concluded at this day’s sitting.

Question put, “That the Clause, as amended, stand part of the Bill.”

The Committee divided:—Ayes, 272; Noes, 104. (Division List No. 288.)

Motion made, and Question, “That the Chairman do report Progress; and ask leave to sit again.”—(*Mr. Asquith*)—put, and agreed to.

Committee report Progress; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at sixteen minutes before Eleven o’clock.

## HOUSE OF COMMONS, FRIDAY, 23RD OCTOBER, 1908.

The House met at Twelve noon of the Clock.

### PETITIONS.

<b>Licensing Bill</b> —Two Petitions against; to lie upon the Table. Three Petitions in favour; to lie upon the Table...	1485
<b>Summary Jurisdiction (Scotland) Bill</b> .—Petition in favour; to lie upon the Table	1485
<b>Women’s Enfranchisement Bill</b> .—Petitions in favour; to lie upon the Table	1485

### RETURNS, REPORTS, &c.

<b>Cattle-Drives (Ireland)</b> .—Return presented, relative thereto; to lie upon the Table	1489
<b>Transvaal Government Guaranteed Loan</b> .—Treasury Minute, guaranteeing the further issue of £1,900,000 Transvaal Treasury Bill; to lie upon the Table	1485
<b>Unemployment</b> .—Statement relative to certain Loans sanctioned by the Local Government Board, or with respect to which application for sanction has been made to them; to lie upon the Table	1485

### QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

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## Licensing Bill.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 10 :

*Mr. James Hope (Sheffield, Central)* ... .. 1492

Amendment proposed—

“In page 6, line 14, to leave out subsection (1).”—(*Mr. James Hope.*)

Question proposed, “That lines 14 and 15 stand part of the clause.”

<i>Mr. Charles Roberts (Lincoln)</i> ... ..	1497
<i>Mr. Barnard (Kidderminster)</i> ... ..	1503
<i>Mr. Sherwell (Huddersfield)</i> ... ..	1508
<i>Mr. G. D. Faber (York)</i> ... ..	1512
<i>Mr. Dickinson (St. Pancras, N.)</i> ... ..	1518
<i>Mr. Younger (Ayr Burghs)</i> ... ..	1521
<i>Mr. Lupton (Lincolnshire, Sleaford)</i> ... ..	1524
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<i>Mr. Ridsdale (Brighton)</i> ... ..	1528
<i>Mr. Lyttelton (St. George's, Hanover Square)</i> ... ..	1530
<i>The Under Secretary of State for the Home Department (Mr. Herbert Samuel, Yorkshire, Cleveland)</i> ... ..	1537
<i>Mr. Bowles (Lambeth, Norwood)</i> ... ..	1548
<i>Mr. Mond (Chester)</i> ... ..	1553

And, it being Five of the Clock, the CHAIRMAN left the Chair to make his Report to the House.

Committee report Progress ; to sit again upon Tuesday next.

House adjourned at Five o'clock.

HOUSE OF LORDS : MONDAY, 26TH OCTOBER, 1908.

PRIVATE BILL BUSINESS.

**Education Board Provisional Orders Confirmation (Cornwall, etc) Bill**

[H.L.]—Returned from the Commons, agreed to ... .. 1557

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<b>Transvaal Government Guaranteed Loan.</b> —Treasury Minute, guaranteeing the further issue of £1,000,000. Transvaal Treasury Bills ..	1557
<b>Pawnbrokers (Ireland).</b> —Returns from the City Marshal of Dublin for the year 1907.	
<b>Polling Districts (County Borough of Huddersfield).</b> —Order made by the council of the county borough of Huddersfield dividing the several wards of the borough into polling districts. Laid before the House, and ordered to lie on the Table ... ..	1557
<b>Old-Age Pensions Act, 1908.</b> —Old-Age Pensions Regulations, 1908 ; Laid before the House on the 15th instant, and to be printed. [No. 212.] ...	1557
<b>SWEATED INDUSTRIES</b>	
<i>Lord Ampthill</i> ... ..	1558
<i>The Lord Privy Seal and Secretary of State for the Colonies (The Earl of Crewe)</i> ... ..	1561
<i>The Earl of Dunraven</i> ... ..	1563
House adjourned at five minutes before Five o'clock, till Tomorrow, half-past Ten o'clock.	

HOUSE OF COMMONS : MONDAY, 26TH OCTOBER, 1908.

The House met at a quarter before Three of the Clock.

PETITIONS.

<b>Licensing Bill.</b> —Six Petitions against ; to lie upon the Table. Petition in favour ; to lie upon the Table. ... ..	1564
<b>Women's Enfranchisement Bill.</b> —Three Petitions in favour ; to lie upon the Table ... ..	1565

RETURNS, REPORTS, ETC.

<b>Inebriates Acts (Inspector's Report) (Ireland).</b> —Fourth Report of the Inspector for Ireland for the Inebriate Acts for the year 1907 (with Appendices) ; to lie upon the Table ... ..	1565
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<b>Public Revenue (Interception).</b> —Return presented, relative thereto ; to lie upon the Table, and to be printed	1566
<b>Post Office (Life Insurance).</b> —Copy ordered, “ of Report of, and Evidence taken by, the Departmental Committee on the encouragement of the Life Insurance system of the Post Office.”—( <i>Mr. Sydney Buxton</i> )	1566

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Mr. Grayson's Speech	...	...	...	...	...	...	...	1611
Cartridge Manufacturers' Regulations	...	...	...	...	...	...	...	1611
Unemployed Committees and the Unemployed Fund	...	...	...	...	...	...	...	1612
Distress Committee Regulations	...	...	...	...	...	...	...	1613
Urban Distress Work	...	...	...	...	...	...	...	1613
Help for Unemployed Women	...	...	...	...	...	...	...	1614
The Relief Grant	...	...	...	...	...	...	...	1614
The Post Office and the Unemployed—The Central Telegraph Office	...	...	...	...	...	...	...	1614
Christmas Pressure in the Post Office	...	...	...	...	...	...	...	1615
The Post Office and the National Telephone Company	...	...	...	...	...	...	...	1617
Trafalgar Day	...	...	...	...	...	...	...	1619
Buckingham Palace and Unemployment	...	...	...	...	...	...	...	1620
Afforestation in Ireland	...	...	...	...	...	...	...	1620
Unemployment in Ireland	...	...	...	...	...	...	...	1621
Government Orders Abroad	...	...	...	...	...	...	...	1622
Unemployed v. Contract Labour	...	...	...	...	...	...	...	1622
Imperial Grant to Local Authorities	...	...	...	...	...	...	...	1623
Overtime in Government Departments	...	...	...	...	...	...	...	1625
The Extent of Unemployment	...	...	...	...	...	...	...	1625
Canals	...	...	...	...	...	...	...	1626
The Irish Shipyards	...	...	...	...	...	...	...	1627
Congestion in Ireland	...	...	...	...	...	...	...	1627
Unemployment in Wales	...	...	...	...	...	...	...	1628
The Unemployment Debate	...	...	...	...	...	...	...	1628

SELECTION (STANDING COMMITTEES).—Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection.

Report to lie upon the Table ... .. 1629

BUSINESS OF THE HOUSE (UNEMPLOYMENT).—Motion made, and Question put, "That the Proceedings on the Motion relating to Unemployment, if under discussion at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Mr. Asquith.*)

The House divided :—Ayes, 228; Noes, 68. (Division List No. 289.) ... 1630

# UNEMPLOYMENT.

*Mr. Alden (Middlesex, Tottenham)* ... .. 1631

*Mr. J. M. Robertson (Northumberland, Tyneside)* ... .. 1643

Motion made and Question proposed, "That this House welcomes the statement of the Prime Minister with regard to the national importance of the problem of unemployment, and approves of the steps proposed to be taken by the Government to meet the present emergency."—(*Mr. Alden.*)

*Mr. Keir Hardie (Merthyr Tydvil)* ... .. 1646

*Mr. Crooks (Woolwich)* ... .. 1656

## Amendment proposed—

"In line 1, to leave out from the word 'That,' to the end of the Question, and add the words 'while recognising the importance of the promise of the Prime Minister to introduce legislation next session for dealing with unemployment on a permanent basis, and whilst welcoming the promise to administer with more elasticity the existing Act and to provide more money to make that possible, this House is of opinion that the proposals made are quite inadequate to meet the pressing needs of the unemployed this winter, and that the responsibility for the absence of proper machinery even for carrying out existing powers and the general unpreparedness of the country to meet the present unemployed crisis is due to the neglect of the Government to make provision for a state of affairs which was clearly foreseen.'"—(*Mr. Keir Hardie.*)

Question proposed, "That the words proposed to be left out stand part of the Resolution."

*The President of the Local Government Board (Mr. John Burns, Battersea)* 1662

*Mr. Walter Long (Dublin, S.)* ... .. 1680

*The Secretary of State for War (Mr. Haldane, Haddington)* ... .. 1691

*Mr. Harold Cox (Preston)* ... .. 1692

*Mr. Ramsay Macdonald (Leicester)* ... .. 1695

*Mr. Pickersgill (Bethnal Green, S.W.)* ... .. 1707

*Mr. Helme (Lancashire, Lancaster)* ... .. 1710

*Mr. Kettle (Tyrone, E.)* ... .. 1711

*Mr. A. J. Balfour (City of London)* ... .. 1714

*The Prime Minister and First Lord of the Treasury (Mr. Asquith, Fifehire, E.)* ... .. 1729

*Mr. Arthur Henderson (Durham, Barnard Castle)* ... .. 1736

*Mr. Hemmerde (Denbighshire, E.)* ... .. 1740

*Mr. Arnold Forster (Croydon)* ... .. 1744

*Mr. Curran (Durham, Jarrow)* ... .. 1748

*Mr. William Abraham (Glamorganshire, Rhondda)* ... .. 1751

<i>Mr. Barnes (Glasgow, Blackfriars)</i>	...	...	...	...	...	...	...	1752
<i>Mr. Wyndham (Dover)</i>	...	...	...	...	...	...	...	1756
Motion made, and Question proposed, "That the debate be now adjourned."								
—( <i>Mr. Wyndham.</i> )								
<i>Mr. Asquith</i>	...	...	...	...	...	...	...	1760
<i>Mr. A. J. Balfour</i>	...	...	...	...	...	...	...	1760
<i>Mr. Summerbell (Sunderland)</i>	...	...	...	...	...	...	...	1761
<i>Earl Winterton (Sussex, Horsham)</i>	...	...	...	...	...	...	...	1762
<i>Mr. Jowett (Bradford, W.)</i>	...	...	...	...	...	...	...	1763
<i>Mr. R. Duncan (Lanarkshire, Govan)</i>	...	...	...	...	...	...	...	1765

Question put.

The House divided :—Ayes, 70 ; Noes, 293. (Division List No. 290.)

Question again proposed, "That the words proposed to be left out stand part of the Question."

Sir JOSEPH LEESE rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 227 ; Noes, 110. (Division List No. 291.)

Question put accordingly, "That the words proposed to be left out stand part of the Question."

The House divided :—Ayes, 236 ; Noes, 68. (Division List No. 292.)

Sir JOSEPH LEESE claimed, "That the Main Question be now put."

Main Question put accordingly.

ion List No. 293.)

of the Prime Minister  
problem of unemploy-  
to be taken by the

be House of 31st July,

ak.

. CXCIV.





# THE PARLIAMENTARY DEBATES

(AUTHORISED EDITION)

IN THE

THIRD SESSION OF THE *TWENTY-EIGHTH PARLIAMENT* OF THE UNITED  
KINGDOM OF *GREAT BRITAIN AND IRELAND*, APPOINTED TO MEET  
THE TWENTY-NINTH DAY OF JANUARY IN THE EIGHTH YEAR OF THE  
REIGN OF

HIS MAJESTY KING EDWARD VII.

TWELFTH VOLUME OF SESSION 1908.

HOUSE OF LORDS.

*Monday, 12th October, 1908.*

FAIRFAX PEERAGE.

Petition of Albert Kirby Fairfax, that he may be permitted to refer in his printed case, and at the hearing of his claim, to the proceedings in the case of Bryan Fairfax, claiming the title and dignity of Lord Fairfax of Cameron, upon which a resolution and adjudication was made by this House on the 16th day of May, 1800, and that he may be relieved from establishing the descent of the title prior to the said resolution and adjudication; read, and referred to the Committee for Privileges.

SAT FIRST.

The Earl of Derby.—Sat first in Parliament after the death of his father.

VOL CXCIV. [FOURTH SERIES.]

PARLIAMENTARY PAPERS  
(RECESS).

Fiji.—Further correspondence respecting. Laid before the House (pursuant to Address of the 16th of July last), and to be printed. [No. 205.]

The LORD CHANCELLOR acquainted the House, That the following Papers having been commanded to be presented to this House by His Majesty, had been so presented on the following dates by delivery to the Clerk of the Parliaments, pursuant to Standing Order, No. CXI., viz.—

Africa, No. 4. (1908).—Further correspondence respecting the taxation of Natives and other questions in the Congo State (in continuation of Africa, No. 3 (1908) [Cd. 4135.]). (August 4.)

Colonies.—1. Annual—

No. 567. Seychelles (Report for 1907). (August 5.)

A

No. 568. Bermuda (Report for 1907). (August 8.)

No. 569. Weihaiwei (Report for 1907). (August 13.)

No. 570. Hong Kong (Report for 1907). (August 18.)

No. 571. Malta (Report for 1907-1908). (August 19.)

No. 572. British Honduras (Report for 1907). (August 25.)

No. 573. Gold Coast (Report for 1907). (September 10.)

No. 574. Nyasaland (Report for 1907-1908). (September 14.)

No. 575. Bahamas (Report for 1907-1908). (September 28.)

No. 576. Gambia (Report for 1907). (October 6.)

## II. Miscellaneous—

No. 53. East Africa Protectorate (Report on Veterinary Bacteriological Work during 1907-1908). (August 8.)

No. 54. Newfoundland (Report by the Governor on a visit to the Micmac Indians at Bay d'Espoir). (September 12.)

No. 55. Cape Colony (Report on the Rietfontein Area, by Mr. J. F. Herbst). (October 2.)

Reformatory and Industrial Schools (Ireland).—Forty-sixth Report of the Inspector, for the year 1907. (August 5.)

## Irish Land Commission—

I. Return of advances made under the Irish Land Act, 1903, during the month of November, 1907. (August 7.)

II. Return of advances made under the Irish Land Act, 1903, during the month of December, 1907. (August 26.)

III. (Proceedings).—Returns for the months of March, April, May, and June, 1908. (August 29); Return for the month of July, 1908. (September 5); Return for the month of August, 1908. (September 18.)

Births, Deaths, and Marriages (Scotland).—Fifty-second Detailed Annual Re-

port of the Registrar-General for Scotland of Births, Deaths, and Marriages in Scotland. (Abstracts for 1906.) (August 10.)

Board of Agriculture and Fisheries.—Annual Report of the Intelligence Division: Part I. Proceedings under the Sale of Food and Drugs Acts, 1875 to 1907, the Merchandise Marks Acts, 1887 to 1894, the Fertilisers and Feeding Stuffs Act, 1906, and the Board of Agriculture Act, 1889 (Section 2, subsection 3), for the year 1907. (August 10.)

Charitable Donations and Bequests (Ireland).—Sixty-third Report of the Commissioners. (August 12.)

## Trade Reports.—Annual Series—

No. 4075. Brazil (Santos, Annex to Report for 1907). (September 1.)

No. 4084. Germany (Frankfort).

No. 4085. Muscat (Muscat).

No. 4086. Paraguay (Paraguay).

No. 4087. Persia (Kerman). (August 12.)

No. 4088. Egypt (Port Said and Suez). (August 14.)

No. 4089. Denmark.

No. 4090. Costa Rica (Costa Rica).

No. 4091. Spain (Barcelona).

No. 4092. Austria-Hungary (Bohemia).

No. 4093. United States (Chicago).

No. 4094. Netherlands (Surinam, Dutch Guiana).

No. 4095. Germany (Pomerania).

No. 4096. Brazil (Bahia). (August 17.)

No. 4097. Italy (South Italy, Supplementary Report).

No. 4098. Guatemala (Quezaltenango).

No. 4099. Austria-Hungary (Fiume).

No. 4100. Persia (Kermanshah).

No. 4101. Guatemala (Guatemala). (August 19.)

No. 4102. Mexico (Mexico).

No. 4103. China (Ichang).

No. 4104. China (Shasi).

No. 4105. Siam (Chiengmai).

No. 4106. Japan (Shimonseki).

No. 4107. Denmark (Faroe Islands and Iceland). (August 22.)

No. 4108. China (Shanghai).

- No. 4109. Austria-Hungary (Finances for 1907-1908). (August 28.)
- No. 4110. Russia (Foreign Commerce of Russia and Trade of St. Petersburg Consular District). (September 1.)
- No. 4111. Brazil (Para) (Report for 1907 and previous Years). (September 14.)
- No. 4112. Servia (Finances, 1908). (September 18.)
- No. 4113. France (Madagascar). (September 29.)
- No. 4114. France (Martinique). (September 30.)
- No. 4115. Turkey (Erzeroum).
- No. 4116. Turkey (Mosul). (September 29.)
- No. 4117. France (French Indo-China). (September 30.)
- No. 4118. Italy (Florence).
- No. 4119. Spain (Asturias, Galicia, and Leon).
- No. 4120. Corea (Corea). (September 29.)
- No. 4121. Turkey (Salonica). (September 30.)
- No. 4122. Italy (Venice).
- No. 4123. Germany (Hamburg).
- No. 4124. China (Kiungchow (Hoihow)). (October 2.)
- No. 4125. China (Swatow). (September 30.)
- No. 4126. Sweden (Stockholm). (October 3.)
- No. 4127. Egypt (Alexandria). (October 5.)
- No. 4128. Bolivia (Bolivia). (October 8.)
- No. 4129. China (Chefoo). (October 3.)
- No. 4130. Turkey (Jeddah).
- No. 4131. Servia. (October 5.)
- No. 4132. Bulgaria.
- No. 4133. France (Cherbourg).
- No. 4134. Persia (Arabistan).
- No. 4135. Uruguay (Trade for 1907, and Finances for 1908-1909 (Supplementary)).
- No. 4136. Germany (Bavaria).
- No. 4137. China (Changsha).
- No. 4138. Russia (Odessa).
- No. 4139. Brazil (Pernambuco).
- No. 4140. Tunis (Tunis).
- No. 4141. Turkey (Smyrna). (October 8.)

Treaty Series—

- No. 21 (1908).—Arbitration Convention between the United Kingdom and the United States of America, together with an Exchange of Notes as to the interpretation of Article 2; signed at Washington, 4th April, 1908. (Ratifications exchanged at Washington, 4th June, 1908.)
- No. 23 (1908).—Declaration and Memorandum between the United Kingdom, Denmark, France, Germany, the Netherlands, and Sweden, concerning the maintenance of the *status quo* in the territories bordering upon the North Sea; signed at Berlin, 23rd April, 1908. (Ratifications deposited at Berlin, 2nd July, 1908.) (August 12.)
- No. 24 (1908).—Agreement between the United Kingdom and Belgium concerning the exchange of insured letters and boxes; signed at Brussels, 28th July, 1908. (August 29.)
- No. 25 (1908).—Accession of the United States of America to the International Agreement of 18th May, 1904, for the suppression of the White Slave Traffic, 6th June, 1908. (September 16.)
- No. 26 (1908).—Agreement between the United Kingdom and Liberia modifying the Treaty of Commerce of 21st November, 1848; signed at Monrovia, 23rd July, 1908. (October 6.)
- No. 27 (1908).—Agreement between the United Kingdom and Ethiopia relative to the frontiers between British East Africa, Uganda, and Ethiopia; signed at Adis Ababa, 6th December, 1907 (with map.) (October 8.)

Irish Land Act, 1903.—Report of the Estates Commissioners for the year ended 31st March, 1908, and for the period from 1st November, 1903, to 31st March, 1908, with appendices. (August 14.)

Army.—Report of the Army Medical Department for the year 1907. Volume XLIX. (August 19.)

Sewage Disposal (Royal Commission).—Fifth Report of the Commissioners appointed to inquire and report what methods of treating and disposing of sewage may properly be adopted; together with minutes of evidence and appendices (eight volumes). (August 20.)

Board of Education.—Statistics of Public Education in England and Wales, 1906, 1907, 1908; Part I. Educational Statistics.

Local Government Board.—Thirty-sixth Report of the Local Government Board, 1906–1907. Supplement containing the Report of the Medical Officer for 1906–1907. (August 21.)

#### Mines and Quarries—

I. (Irruption of Water at Brereton Collieries).—Report to the Secretary of State for the Home Department, by Hugh Johnstone, His Majesty's Inspector of Mines, on the causes of and circumstances attending an irruption of water which occurred at Brereton Collieries, South Staffordshire, on 15th February, 1908. (August 22.)

II. (General Report and Statistics for 1907; Part II. Labour).—General Report and Statistics relating to persons employed and accidents at mines and quarries in the United Kingdom and to the enforcement of the Mines and Quarries Acts. (September 4.)

III. (Explosion at Norton Hill Colliery).—Report to the Secretary of State for the Home Department, by J. S. Martin, I.S.O., one of His Majesty's Inspectors of Mines, on the circumstances attending an explosion which occurred at Norton Hill Colliery on 9th April, 1908. (October 6.)

National Education (Ireland).—Annual Report of the Commissioners, for the year 1907–8. (August 24.)

#### Explosives—

I. (Explosion of Detonators in Factory at Newbold, Derbyshire).—Report to the Secretary of

State for the Home Department, by Captain H. Coningham, R.A., His Majesty's Inspector of Explosives, on the circumstances attending an explosion of detonators at the factory of the Patent Electric Shot Firing Company, Newbold, in the county of Derby, on 29th June, 1908.

II. (Explosion of Chlorate of Potash, etc., in warehouse at Dawson Street, Hulme, Manchester).—Report to the Secretary of State for the Home Department, by Major A. Cooper-Key, His Majesty's Chief Inspector of Explosives, on the circumstances attending an explosion on the premises occupied by the Mersey, Weaver, and Ship Canal Carrying Company, Limited, in Dawson Street, Hulme, Manchester, on 23rd June, 1908.

III. (Explosion of Dynamite in Factory at Cliffe, Kent).—Report to the Secretary of State for the Home Department, by Major A. Cooper-Key, His Majesty's Chief Inspector of Explosives, on the circumstances attending an explosion which occurred in a cartridge hut at the factory of Messrs. Curtiss and Harvey, Limited, at Cliffe, in the county of Kent, on 5th June, 1908. (August 24.)

India (Factory Labour Commission, 1908).—

I. Report of the Indian Factory Labour Commission, 1908: Volume I. Report and Appendices. (August 25.)

II. (Statistical Abstract).—Statistical Abstract relating to British India from 1897–8 to 1906–7. Forty-second number. (September 12.)

III. (Sanitary Measures).—Report on Sanitary Measures in India in 1906–1907. Volume XL. (September 17.)

**Greenwich Observatory.**—Report of the Astronomer Royal to the Board of Visitors of the Royal Observatory, Greenwich, 1908. (August 27.)

**Fisheries (Ireland).**—Report of the Department of Agriculture and Technical Instruction for Ireland on the Sea and Inland Fisheries of Ireland, for the year 1907: Part I. General Report. (August 28.)

**Prisons (England and Wales).**—Report of the Commissioners of Prisons and the Directors of Convict Prisons for the year ended 31st March, 1908 (Parts I. and II.), with Appendices. (August 31.)

**Lunacy (Ireland).**—Fifty-seventh Report of the Inspectors of Lunatics in Ireland, for the year 1907. (August 31.)

**Railway Servants (Hours of Labour).**—Return in pursuance of Section 4 of the Regulation of Railways Act, 1889, of railway servants of certain classes who were on one or more occasions during the month of April, 1908, on duty on certain railways of the United Kingdom for more than twelve hours at a time, or who, after being on duty more than twelve hours, were allowed to resume work with less than nine hours rest, showing periods of duty after deduction of time (if any) spent in travelling home after relief; with appendices giving additional statements and explanations furnished by the railway companies. (August 31.)

**Agricultural Statistics (Ireland).**—Abstracts showing the acreage under crops and the numbers of live stock in each county and province, 1907-8. (September 3.)

**Fishery Investigations.**—Minutes of Evidence given before the Committee appointed to inquire into the scientific and statistical investigations now being carried on in relation to the fishing industry of the United Kingdom; together with appendices to the Report. (September 4.)

**Local Government Board (Scotland).**—Supplement to the Thirteenth Annual Report of the Local Government Board for Scotland, 1907, containing statistics

of infectious disease notifications and of mortality, for the year 1907. (September 10.)

**Police (Metropolis).**—Report of the Commissioner of Police of the Metropolis, for the year 1907. (September 11.)

**Secondary Education (Scotland).**—Report for the Year 1908 by John Struthers, Esquire, C.B., LL.D. (September 11.)

**Public Records (Ireland).**—Fortieth Report of the Deputy Keeper of the Records, for the Year 1907. (September 12.)

**Dublin Hospitals.**—Fiftieth Report of the Board of Superintendence of Dublin Hospitals, for the Year 1907-8. (September 15.)

#### Railway Accidents—

I. General Report of the Board of Trade upon accidents that have occurred on the railways of the United Kingdom during the year 1907. (August 27.)

II. Summary of Accidents and Casualties reported to the Board of Trade by the several railway companies in the United Kingdom during the three months ended 31st March, 1908, in pursuance of the Regulation of Railways Act, 1871; together with reports of the Inspecting Officers and Sub-Inspecting Officers of the Railway Department of the Board of Trade upon certain accidents which were inquired into. (September 15.)

**Cyprus.**—Annual Report for 1907-8 (September 24.)

#### Miscellaneous—

No. 7. (1908).—Reports respecting the limitations imposed by law upon testamentary bequests in France, Germany, Italy, Russia, and the United States.

No. 8. (1908).—Reports from His Majesty's representatives abroad, respecting the limitation of



speeches in the supreme legislative assemblies in certain foreign countries. (September 25.)

Peterhead Harbour.—Reports respecting Peterhead Harbour Works (in continuation of [Cd. 3744.]). (September 26.)

Navy.—Returns of the number of courts martial held and summary punishments inflicted on seamen of the Royal Navy, etc., during the year 1907. (October 3.)

China, No. 2 (1908).—Despatch from His Majesty's Minister in China, forwarding a General Report, by Mr. Leech, respecting the opium question in China (in continuation of China, No. 1. (1908) [Cd. 3881].) (October 3.)

Asia Minor.—Report on agriculture in Asia Minor with special reference to cotton cultivation, by Professor Wyndham Dunstan, M.A., LL.D., F.R.S., Director of the Imperial Institute. (October 8.)

Register House, Edinburgh.—Minute of the Secretary for Scotland amending Article VI. of the Secretary for Scotland's Minute, dated 14th September, 1893, with respect to gratuities to engrossing clerks in the office of the Register of Deeds in the Sasines Office and in the Record Office. (October 9.)

Workmen's Compensation.—Statistics of proceedings under Workmen's Compensation Acts, 1897, 1900, and 1906, and the Employers' Liability Act, 1880, during the year 1907. (October 9.)

Injuries to Submarine Cables.—Report of Inter-Departmental Committee on injuries to submarine cables; with minutes of evidence and appendices. (October 9.)

Light Railways Act, 1896.—

I. Portmadoc, Beddgelert, and South Snowdon Railway (Light Railway) Order, 1908.—Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the Portmadoc, Beddgelert, and South

Snowdon Railway Company to reconstruct, construct, and work the railways authorised by the Portmadoc, Beddgelert, and South Snowdon Railway Acts, 1901 and 1904, as a light railway under the Light Railways Act, 1896, and authorising the construction of a light railway in the county of Carnarvon from the termination of the railway authorised by the said Act of 1901, near Beddgelert, to Bettws-y-Coed, and amending and consolidating the capital and borrowing powers of the Company, and for other purposes; Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of light railways in the borough and county of Carnarvon, being a deviation and extension of the authorised undertaking of the Portmadoc, Beddgelert, and South Snowdon Railway Company from Dinas to Carnarvon, and the abandonment of a part of the said undertaking.

II. Central Essex Light Railway (Amendment and Extension of Time) Order, 1908.—An Order made by the Light Railway Commissioners, and confirmed by the Board of Trade, amending the Central Essex Light Railway Orders, 1901-7.

III. County of Hertford Light Railways (Watford and Bushey Extensions, etc.) Order, 1908.—Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of light railways in the urban district of Watford, in the county of Hertford, and amending the County of Hertford Light Railways (No. 1) Order, 1904.

IV. Llandilo and Lampeter Light Railway Order, 1908. — Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of a

light railway in the counties of Carnarvon and of Cardigan from Llandilo to Lampeter.

V. Tanat Valley Light Railway (Additional Powers) Order, 1908.—Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, conferring additional powers upon the Tanat Valley Light Railway Company, incorporated by the Tanat Valley Light Railway Order, 1898. (October 9.)

The same were ordered to lie on the Table.

### RETURNS, REPORTS, ETC.

#### INEBRIATES ACTS, 1879 TO 1900.

Report of the inspector under the Inebriates Acts, 1870 to 1900, for the year 1907.

#### EVICTED TENANTS (IRELAND) ACT, 1907.

Return giving particulars of cases in which persons have been reinstated with the assistance of the Estates Commissioners during the quarter ended 30th June, 1908.

#### MINES AND QUARRIES (GENERAL REPORT AND STATISTICS, 1907: PART III. OUT-PUT).

General report and statistics relating to the out-put and value of the minerals raised in the United Kingdom, the amount and value of the metals produced, and the exports and imports of minerals.

#### (CONGESTED DISTRICTS BOARD (IRELAND).

Report of the Board, for the year ended 31st March, 1908.

#### REFORMATORY AND INDUSTRIAL SCHOOLS (GREAT BRITAIN).

Fifty-first Report, for year 1907, of His Majesty's Inspector of Reformatories and Industrial Schools; Part II. General Report and Appendices III. to X.

#### NAVY (HEALTH).

Statistical Report of the Health of the Navy, for the year 1907.

Presented (by Command), and ordered to lie on the Table.

#### SUPREME COURT OF JUDICATURE.

Rules of the Supreme Court as to judges' summonses in the King's Bench Division.

#### DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 AND 1907.

Destructive Insects and Pests Acts, 1877 and 1907—

Order, dated 14th August, 1908, entitled "The American Gooseberry Mildew (Kent) Order of 1908." [No. 2.]; Order, dated 28th August 1908, entitled "The American Gooseberry Mildew (Essex) Order of 1908."

#### DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Order No. 7559, dated 22nd September, 1908, relating to animals being carried on the ss. "Diana."

#### LEEWARD ISLANDS.

An Act, further to amend the Prison Act, 1877, and to enable prisoners to earn by special industry a remission of a portion of their imprisonment; together with rules made under Section 2 thereof.

#### LOCAL GOVERNMENT BOARD (IRELAND).

The Labourers (Ireland) Order, 1908.

#### MOTOR CAR ACTS, 1896 AND 1903.

Order made by the Local Government Board for Ireland, limiting the speed of motor cars on certain roads in the county of Wicklow, and prohibiting all motor car traffic, with certain exceptions, through Church Lane, Greystones.

#### DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND.

The Black Scab in Potatoes (Ireland) Order, 1908.

#### POLLING DISTRICTS (COUNTY OF LANCASTER).

Orders made by the council of the county of Lancaster, re-dividing the

Eccles, Radcliffe-cum-Farnworth, and Stretford Parliamentary divisions into polling districts.

**PENAL SERVITUDE ACTS (1893-1891)  
(CONDITIONAL LICENCE).**

Licence granted by His Majesty to Teresa Rea, a convict under detention in Aylesbury Prison, permitting her to be at large on condition that she enter the East End Refuge, Finchley, N.

**SHOP HOURS ACT, 1904.**

Orders made by the following borough councils, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the respective boroughs—Burslem; Neath; Chippenham; Keighley.

Orders made by the following county councils, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the respective counties—West Riding of Yorkshire (Bingley); Monmouth (Tredegar); Durham (Houghton-le-Spring).

Orders made by the following urban district councils, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the respective urban districts—Cookstown; Rhondda.

Order made by the council of the county borough of Brighton, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the county borough.

Order made by the Metropolitan Borough of Poplar, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the Metropolitan Borough.

**FACTORY AND WORKSHOP (SCHEMES  
FOR REGULATION OF HOURS OF  
EMPLOYMENT, ETC., IN CHARIT-  
ABLE INSTITUTIONS.)**

Schemes for the regulation of hours of employment, intervals and holdings of

workers in charitable institutions, approved by the Secretary of State in pursuance of the powers conferred on him by Section 5 (2) (a) of the Factory and Workshop Act, 1907.

**MERCHANT SHIPPING ACT, 1894.**

Orders in Council, dated August 1st, 1908—Continuing in force until December 31st, 1908, the bye-laws relating to pilotage rates between Hull and Goole, approved by Order in Council of November 2nd, 1907; Approving pilotage bye-laws made by the Tees Pilotage Commissioners in substitution for the bye-laws approved by Order in Council of October 26th, 1896; Approving pilotage bye-laws made by the Bristol Pilotage Authority.

**FOREIGN JURISDICTION ACT, 1890.**

Orders in Council, dated 26th September, 1908—Revoking the Brunei Orders in Council of 1901 and 1906; allowing appeals to His Majesty in Council from decisions of the Straits Settlements Supreme Court, sitting as a Court of Appeal from the Courts having jurisdiction in Brunei; The Foreign Jurisdiction (Probates) Order in Council, 1908; The Pacific Order in Council, 1893, Amendment Order, 1908.

**NAVAL AND MARINE PAY AND  
PENSIONS ACT, 1865.**

Six Orders in Council under the above-named Act.

**MAIL SHIPS ACTS, 1891 AND 1902.**

Order in Council, dated 1st August, 1908, entitled "The Mail Ships (Rules) Order in Council, 1908."

**EXTRADITION ACTS, 1870 AND 1873.**

Order in Council, dated 1st August, 1908, entitled "The Straits Settlements Extradition Order, 1908."

**ECCLESIASTICAL FEES.**

Order in Council, dated 6th October, 1908, allowing a table of ecclesiastical fees and payments settled by the Archbishop of Canterbury, the Lord Chancellor, and the Archbishop of York, in pursuance of the Acts 1 & 2 Vict., cap. 106 and 30 & 31 Vict., cap. 135.



**SUPERANNUATION.**

Treasury Minute, dated 31st August, 1908, granting a retired allowance to William H. Harrington First Class Clerk, Supplementary Establishment, Secretary's Office, Post Office, under Section 2 of the Superannuation Act; Treasury Minute, dated 16th September, 1908, declaring that for the due and efficient discharge of the office of Assistant Director of Public Prosecutions, professional or other peculiar qualifications not ordinarily to be acquired on the Public Service are required.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

**UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877.**

Statute made by the Governing Body of St. John's College, Oxford, on 2nd May, 1908, and sealed on 6th May, 1908, altering and amending Statute IV., Clause 4, of the Statutes of the College; Statute made by the Governing Body of Queen's College, Oxford, on 10th June, 1908, and sealed on the same date, altering the Statutes of the College by adding thereto a new Statute, No. XXIV. (the Southampton Exhibitioners.)

Laid before the House (pursuant to Act, and to be printed. (No. 206.)

**MARGATE PIER AND HARBOUR COMPANY (1812).**

Report and statement of accounts for the year ended 5th April, 1908.

**MERSEY DOCKS AND HARBOUR ACT, 1837.**

Accounts of the Mersey Docks and Harbour Board for the year ended 1st May, 1908.

Delivered (pursuant to Act), and ordered to lie on the Table.

**THE SITUATION IN THE BALKAN PENINSULA.**

**THE MARQUESS OF LANSDOWNE:** My Lords, I rise to ask His Majesty's Government a Question of which I have

given them private notice. We on this side of the House desire to know whether they are in a position to afford us any information not already in our possession with regard to the situation in the Balkan Peninsula. I make no apology for asking that Question. The events which have followed one another with ominous rapidity during the last few days have created a feeling of profound anxiety throughout Europe, and, I think I may add, a feeling of the utmost dismay in this country—this country in which one Government after another has spared no efforts to avoid the crisis which has apparently been precipitated by the conduct of some of the European Powers.

We shall be glad to know whether His Majesty's Government can tell us anything as to the facts of the case, and as to their own attitude with regard to the situation. I couple that Question with this reservation. Nothing is further from my thoughts than to press Ministers for any information which they think it is contrary to the public interest to give at the present moment. We have followed with attention the statements lately made by the Secretary of State for Foreign Affairs and by the Prime Minister upon these subjects, and I may be permitted to say that in my humble opinion nothing could have been more dignified in tone or more appropriate in substance than the statement made by Sir Edward Grey last week. If when I sit down my noble friend, who will, I suppose, follow me, tells me that he has nothing to add to Sir Edward Grey's statement I shall make no complaint whatever; and I can assure noble Lords opposite, speaking, I am sure, for those who sit round me, that our one desire is to strengthen the hands of His Majesty's Government and to assist them in accomplishing the task to which we understand from the Prime Minister they have set themselves—the two-fold task of maintaining the public law of Europe and preventing the disturbance of the peace of the world.

**THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE):** My Lords, nobody, I am certain, on whichever side of the House he sits or whatever his opinions upon any issue of foreign policy may be, could

possibly complain for one moment of my noble friend having asked this question directly your Lordships' House re-assembled. This House has always been the scene of great debates on foreign policy, and it is quite natural that on this occasion a Question should be asked in regard to the grave issues which have recently arisen in the East of Europe.

In regard to the facts of the case, I do not think that I have anything to add to what has already been publicly stated in what are called the ordinary sources of information. The events to which my noble friend has alluded have not been done in secret; they have been announced on the house-tops, and they are public property. But there is, of course, the far graver and more difficult question as to what the course of European diplomacy is to be, and, more particularly, the question which occupies your Lordships' attention—what the course of the diplomacy of this country is to be. I have to thank my noble friend for the language in which he has spoken of the statement made by the Secretary of State for Foreign Affairs at Wooler in the course of last week. I am glad that he, speaking with his high authority, has endorsed the approval which has been given already by the general public both to the tone and to the substance of Sir Edward Grey's speech, and it is an encouragement to His Majesty's Government to think that in this matter, grave and troublesome as it is, they will have behind them not merely the voice of their own Party, but, they believe, the confidence of the united nation.

As my right hon. friend the Secretary of State for Foreign Affairs stated in that speech, and as the Prime Minister, also, I think, on the same day, publicly stated, it is impossible for this country, in the interest of the value of treaties, to recognise an alteration of them made by any individual State without the consent of the other parties. That principle, as your Lordships know, was laid down in a European document of the highest importance in 1871 at the time of the denunciation of the clauses of the Black Sea Treaty by Russia, when a conference assembled in London, and when, on the proposal of Lord Granville, before any alteration was consented to in the sub-

stance of the Treaty of Paris of 1856, all the high contracting Powers united in the declaration the text of which, is, I think, by this time perfectly well known to your Lordships, because it has been reprinted in nearly every newspaper in the United Kingdom.

We hold, my Lords, to the principle laid down in that historic document. We regard the events which have recently taken place in the Near East as necessitating consideration by the Powers with a view of arriving at a settlement which shall show due regard to the interests of Turkey, or of any other State which may have been prejudiced by recent changes, but we cannot admit the right of any individual State to be the judge in its own cause. We hope and trust that a solution will be found, and we shall use our influence to help to secure that it shall be both peaceful and equitable. No definite arrangement for a Conference has yet been come to, and the question of how a settlement can be attained, and what should be comprised in it, is at present forming the subject of discussion. Meanwhile, we hope that those who naturally feel aggrieved will not precipitate a crisis by hasty action and will continue to display the moderation and restraint which have hitherto distinguished them, relying upon the general desire which we believe exists to show fair consideration for their interests.

I may add this, that while on the one hand we recognise, and joyfully recognise, as the whole people of this country have, the great change in the direction of improved administration and reform in Turkey, we also do not forget how, for many years past, we have also asserted and vindicated the rights and liberties of what are known as the Christian populations of the Balkan Peninsula. Those two principles are not in any manner incompatible, and we fully believe that it will not be beyond the strength and the power and the skill of the diplomacy of Europe to secure the maintenance of those improved institutions which have come into being in Turkey, and at the same time to maintain the goodwill of the minor States of the Balkan Peninsula which are bound to us by the memories of the past thirty years. I hope that the House will con-

*Lord Fitzmaurice.*

in this short statement adequate under the circumstances of the moment, which, as my noble friend himself will be the first to recognise, require the most extreme inspection and the greatest care on my part and on that of others who have to speak elsewhere in the language used if we are to obtain a satisfactory and a peaceful solution.

#### INCEST BILL.

Order for the Second Reading Tomorrow discharged.

House adjourned at a quarter before Five o'clock, till Tomorrow, a quarter before Eleven o'clock.

### HOUSE OF COMMONS.

*Monday, 12th October, 1908.*

The House met at a quarter before Three of the Clock.

#### PETITIONS.

##### LICENSING BILL.

Petitions in favour: From Dewsbury; Falkirk; Glasgow; and Trowbridge; to be upon the Table.

##### LOCAL GOVERNMENT (SCOTLAND) BILL.

Petition from Sutherland, in favour; to be upon the Table.

##### HIGHWAY LAW AMENDMENT (SCOTLAND) BILL.

Petitions in favour: From Banchory; Falkirk; and Kirkcudbright; to be upon the Table.

#### PARLIAMENTARY PAPERS (RECESS).

The following Papers presented by His Majesty's Command during the recess, were delivered to the Librarian of the House of Commons during the recess, pursuant to the Standing Order of 14th August 1896:—

Trade Reports (Annual Series).—  
of Diplomatic and Consular Reports (Annual Series, Nos. 4075, 4084 to 4096, and 4097 to 4141).

Treaty Series (No. 21, 1908).—  
of Arbitration Convention between

the United Kingdom and the United States of America, together with an Exchange of Notes as to the Interpretation of Article 2. Signed at Washington, 4th April 1908. Ratifications exchanged at Washington, 4th June 1908.

3. Treaty Series (No. 23, 1908).—  
Copy of Declaration and Memorandum between the United Kingdom, Denmark, France, Germany, the Netherlands, and Sweden concerning the Maintenance of the Status Quo in the Territories bordering upon the North Sea. Signed at Berlin, 23rd April 1908. Ratifications deposited at Berlin, 2nd July 1908.

4. Treaty Series (No. 24, 1908).—  
Copy of Agreement between the United Kingdom and Belgium concerning the Exchange of Insured Letters and Boxes. Signed at Brussels, 28th July 1908.

5. Treaty Series (No. 25, 1908).—  
Copy of Accession of the United States of America to the International Agreement of 18th May 1904 for the Suppression of the White Slave Traffic (6th June 1908).

6. Treaty Series (No. 26, 1908).—  
Copy of Agreement between the United Kingdom and Liberia modifying the Treaty of Commerce of 21st November 1848. Signed at Monrovia, 23rd July 1908.

7. Treaty Series (No. 27, 1908).—  
Copy of Agreement between the United Kingdom and Ethiopia relative to the Frontier between British East Africa, Uganda, and Ethiopia. Signed at Adis Ababa, 6th December 1907 [with Map].

8. Africa (No. 4, 1908).—Copy of Further Correspondence respecting the Taxation of Natives and other Questions in the Congo State.

9. China (No. 2, 1908).—Copy of Despatch from His Majesty's Minister in China forwarding a General Report by Mr. Leech respecting the Opium Question in China.

10. Limitations upon Testamentary Bequests (Miscellaneous, No. 7, 1908).—  
Copies of Reports respecting the Limitations imposed by Law upon Testamentary Bequests in France, Germany, Italy, Russia, and the United States.

11. Limitation of Speeches in Supreme Legislative Assemblies (Miscellaneous, No. 8, 1908).—Copies of Reports from His Majesty's Representatives Abroad,

respecting the Limitation of Speeches in the Supreme Legislative Assemblies in certain Foreign Countries.

12. Colonial Reports (Annual).—Copies of Reports, Nos. 567 (Seychelles, Annual Report for 1907); 568 (Bermuda, Annual Report for 1907); 569 (Weihaiwei, Annual Report for 1907); 570 (Hong Kong, Annual Report for 1907); 571 (Malta, Report for 1907–8); 572 (British Honduras, Annual Report for 1907); 573 (Gold Coast, Annual Report for 1907); 574 (Nyasaland, Report for 1907–8); 575 (Bahamas, Report for 1907–8); 576 (Gambia, Annual Report for 1907).

13. Colonial Reports (Miscellaneous).—Copies of Reports, Nos. 53 (East Africa Protectorate, Report on Veterinary Bacteriological Work during 1907–8); 54 (Newfoundland, Report by the Governor on a Visit to the Micmac Indians at Bay d'Espoir); 55 (Cape Colony, Report on the Rietfontein Area, by Mr. J. F. Herbst).

14. Cyprus.—Copy of Annual Report for 1907–8.

15. Asia Minor.—Copy of Report on Agriculture in Asia Minor, with special reference to Cotton Cultivation, by Professor Wyndham Dunstan, M.A., LL.D., F.R.S., Director of the Imperial Institute.

16. Railway Accidents. — Copy of Returns of Accidents and Casualties as reported to the Board of Trade by the several Railway Companies in the United Kingdom during the three months ended 31st March, 1908, together with Reports of the Inspecting Officers of the Railway Department to the Board of Trade upon certain Accidents which were inquired into.

17. Railway Accidents. — Copy of General Report to the Board of Trade upon Accidents that have occurred on the Railways of the United Kingdom during the year 1907.

18. Railway Servants (Hours of Labour).—Copy of Return in pursuance of Section 4 of the Regulation of Railways Act, 1889, of Railway Servants of certain classes who were on one or more occasions during the month of April, 1908, on duty on the Railways of the United Kingdom for more than twelve hours at a time; or who, after being on duty more than twelve hours, were allowed to resume work with less than nine hours'

rest, showing periods of duty after deduction of time (if any) spent on travelling home after relief, with Appendices giving additional statements and explanations furnished by the Railway Companies.

19. Light Railways Act, 1896.—Copy of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of Light Railways in the Urban District of Watford, in the County of Hertford, and amending The County of Hertford Light Railways (No. 1) Order, 1904 (County of Hertford Light Railways (Watford and Bushey Extensions, etc.) Order, 1908).

20. Light Railways Act, 1896.—Copy of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, conferring additional powers upon the Tanet Valley Light Railway Company, incorporated by The Tanet Valley Light Railway Order, 1898 (Tanet Valley Light Railway (Additional Powers) Order, 1908).

21. Light Railways Act, 1896.—Copy of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of Light Railways in the borough and county of Carnarvon, being a deviation and extension of the authorised undertaking of the Portmadoc, Beddgelert, and South Snowdon Railway Company from Dinas to Carnarvon, and the abandonment of a part of the said undertaking (Portmadoc, Beddgelert, and South Snowdon Railway (Light Railway Extension at Carnarvon) Order, 1908).

22. Light Railways Act, 1896.—Copy of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of a Light Railway in the counties of Carmarthen and of Cardigan from Llandilo to Lampeter (Llandilo and Lampeter Light Railway Order, 1908).

23. Light Railways Act, 1896.—Copy of Order made by the Light Railway Commissioners, and confirmed by the Board of Trade, amending the Central Essex Light Railway Orders, 1901 to 1907 (Central Essex Light Railway (Amendment and Extension of Time) Order, 1908).

24. Light Railways Act, 1896.—Copy of Order made by the Light Railway



Commissioners, and modified and confirmed by the Board of Trade, authorising the Portmadoc, Beddgelert, and South Snowdon Railway Company to reconstruct, construct, and work the railways authorised by the Portmadoc, Beddgelert, and South Snowdon Railway Acts, 1901 and 1904, as a Light Railway under the Light Railways Act, 1896, and authorising the construction of a Light Railway in the county of Carnarvon from the termination of the railway authorised by the said Act of 1901 near Beddgelert to Betws-y-Coed, and amending and consolidating the capital and borrowing powers of the company, and for other purposes Portmadoc, Beddgelert, and South Snowdon Railway (Light Railway) Order, 1908).

25. Prisons (England and Wales).—Copy of Report of the Commissioners of Prisons and the Directors of Convict Prisons, (Parts I. and II.), with Appendices, for the year ended 31st March 1908.

26. Police (Metropolis).—Copy of Report of the Commissioner of Police of the Metropolis for the year 1907.

27. Mines and Quarries.—Copy of General Report and Statistics for the year 1907. Part II., Labour; General Report and Statistics relating to Persons employed and Accidents at Mines and Quarries in the United Kingdom, and to the enforcement of the Mines and Quarries Acts.

28. Explosions (Norton Hill Colliery).—Copy of Report to the Secretary of State for the Home Department by J. S. Martin, I.S.O., one of His Majesty's Inspectors of Mines, on the circumstances attending an explosion which occurred at Norton Hill Colliery on 9th April 1908.

29. Explosions (Patent Electric Shot Firing Company, Newbold, Derbyshire).

Copy of Report to the Secretary of State for the Home Department by Captain H. Coningham, R.A., His Majesty's Inspector of Explosives, on the circumstances attending an explosion of dynamite at the Factory of the Patent Electric Shot Firing Company, Newbold, in the county of Derby, on the 29th June 1908.

30. Explosions (Curtis's and Harvey's Factory at Cliffe, Kent).—Copy of Report to the Secretary of State for the Home Department by Major A. Cooper-

Key, His Majesty's Chief Inspector of Explosives, on the circumstances attending an explosion which occurred in a cartridge hut at the Factory of Messrs. Curtis's and Harvey, Limited, at Cliffe, in the county of Kent, on the 5th June, 1908.

31. Explosions (Mersey, Weaver, and Ship Canal Carrying Company, Dawson Street, Manchester).—Copy of Report to the Secretary of State for the Home Department, by Major A. Cooper-Key, His Majesty's Chief Inspector of Explosives, on the circumstances attending an explosion on the premises occupied by the Mersey, Weaver, and Ship Canal Carrying Company, Limited, in Dawson Street, Hulme, Manchester, on 23rd June, 1908.

32. Mines (Irruption of Water at Brereton Collieries).—Copy of Report to the Secretary of State for the Home Department, by Hugh Johnstone, His Majesty's Inspector of Mines, on the causes of and circumstances attending an irruption of water which occurred at Brereton Collieries, South Staffordshire, on 15th February, 1908.

33. Workmen's Compensation.—Copy of Statistics of Proceedings under the Workmen's Compensation Acts, 1897, 1900, and 1906, and the Employers' Liability Act, 1880, during the year 1907.

34. Sewage Disposal (Royal Commission).—Copy of Fifth Report of the Commissioners appointed to inquire and report what methods of treating and disposing of sewage may properly be adopted; together with Minutes of Evidence and Appendices (eight volumes).

35. Charitable Donations and Bequests (Ireland). Copy of Sixty-third Annual Report of the Commissioners of Charitable Donations and Bequests for Ireland.

36. Peterhead Harbour. — Copy of Reports respecting Peterhead Harbour Works.

37. Fishery Investigations.—Copy of Minutes of Evidence given before the Committee appointed to inquire into the Scientific and Statistical Investigations now being carried on in relation to the Fishing Industry of the United Kingdom, together with Appendices and Report.

38. Navy (Courts-Martial).—Copy of Returns of the number of Courts-Martial held, and Summary Punishments inflicted,

on Seamen of the Royal Navy, etc., during the year 1907.

39. Greenwich Observatory.—Copy of Report of the Astronomer Royal to the Board of Visitors of the Royal Observatory, Greenwich, 1908.

40. Injuries to Submarine Cables (Interdepartmental Committee on Injuries to Submarine Cables, with Minutes of Evidence and Appendices.

41. Secondary Education (Scotland).—Copy of Report on Secondary Education in Scotland for the year 1908 by J. Struthers, esquire, C.B., LL.D.

42. Births, Deaths, and Marriages (Scotland).—Copy of Fifty-second Detailed Annual Report of the Registrar-General for Scotland of Births, Deaths, and Marriages in Scotland (Abstracts for 1906).

43. Register House (Edinburgh).—Copy of Minute of the Secretary for Scotland amending Article VI. of the Secretary for Scotland's Minute, dated 14th September, 1893, with respect to gratuities to Engrossing Clerks in the Office of the Register of Deeds, in the Sasines Office, and in the Record Office.

44. Local Government (Scotland).—Copy of Supplement to the Thirteenth Annual Report of the Local Government Board for Scotland, 1907, containing Statistics of Infectious Disease Notifications and of Mortality for the year 1907.

45. East India (Statistical Abstract).—Copy of Statistical Abstract relating to British India from 1897-8 to 1906-7. Forty-second Number.

46. East India (Sanitary Measures).—Copy of Report on Sanitary Measures in India in 1906-7 (Volume XL).

47. East India (Factory Labour Commission, 1908).—Copy of Report of the Indian Factory Labour Commission, 1908. Volume I, Report and Appendices.

48. Army (Medical Department).—Copy of Report of the Army Medical Department for the year 1907.

49. Local Government Board.—Copy of Thirty-sixth Annual Report of the Local Government Board for 1906-7, together with Supplement containing the Report of the Medical Officer for 1906-7.

50. Board of Education.—Copy of Statistics of Public Education in England

and Wales, 1906-7-8. Part I., Educational Statistics.

51. Irish Land Act, 1903.—Copy of Report of the Estates Commissioners for the year ending 31st March 1908, and for the period from 1st November 1903 to 31st March 1908, with Appendices.

52. Irish Land Commission (Proceedings).—Copy of Returns of Proceedings of the Irish Land Commission during the months of March, April, May, June, July, and August 1905.

53.—Irish Land Commission.—Copy of Returns of Advances made under the Irish Land Act, 1903, during the months of November and December 1907.

54. Dublin Hospitals. — Copy of Fiftieth Report of the Board of Superintendence for the year 1907-8.

55. Public Records (Ireland).—Copy of the Fortieth Report of the Deputy Keeper of the Public Records and Keeper of the State Papers in Ireland, 1907.

56. National Education (Ireland).—Copy of Seventy-fourth Report of the Commissioners of National Education in Ireland being for the year 1907-8.

57. Fisheries (Ireland).—Copy of the Report of the Department of Agriculture and Technical Instruction for Ireland on the Sea and Inland Fisheries of Ireland for 1907. Part 1. General Report.

58. Reformatory and Industrial Schools (Ireland).—Copy of Forty-sixth Report of the Inspector for the year 1907.

59. Lunacy (Ireland).—Copy of Fifty-seventh Report of the Inspectors of Lunatics in Ireland for the year 1907, with Appendices.

60. Agricultural Statistics (Ireland).—Copy of Abstracts showing the Acreage under Crops and the numbers of Live Stock in each County and Province 1907-8.

61. Congested Districts Board (Ireland).—Copy of the Seventeenth Report of the Congested Districts Board for Ireland of Proceedings under the Congested Districts Board (Ireland) Acts, 1890 to 1904 for the year ending 31st March 1908.

62. Board of Agriculture and Fisheries (Intelligence Division).—Copy of Annual Report of Proceedings under the Sale of Food and Drugs Act, 1875 to 1907, the

Merchandise Marks Acts, 1887 to 1894, the Fertilisers and Feeding Stuffs Act, 1903, and The Board of Agriculture Act, 1889 for the year 1907.

Ordered, That the said Papers do lie upon the Table.

## RETURNS, REPORTS, ETC.

### REFORMATORY AND INDUSTRIAL SCHOOLS (GREAT BRITAIN).

Copy presented, of Fifty-first Report of His Majesty's Inspector of Reformatories and Industrial Schools. Part II. General Report and Appendices III. to X. [by command]; to lie upon the Table.

### INEBRIATES ACTS, 1879 TO 1900.

Copy presented, of Report of the Inspector under the Inebriates Acts, 1879 to 1900, for the year 1907 [by Command]; to lie upon the Table.

### MINES AND QUARRIES.

Copy presented, of General Report and Statistics for the year 1907 (Part III. Output Statistics) relating to the Output and Value of the Minerals raised in the United Kingdom, the amount and Value of the Metals produced, and the Exports and Imports of Minerals [by Command]; to lie upon the Table.

### SHOP HOURS ACT, 1904

Copies presented, of Orders made by the Councils of the Urban District of Etonda, of the Metropolitan Borough of Poplar, of the County Borough of Brighton, of the Boroughs of Burslem, Heath, Keighley, and Chippenham, of the Counties of Monmouth and Durham, and of the West Riding of Yorkshire, and confirmed by the Secretary of State in the Home Department, fixing the Hours of Closing for certain classes of shops [by Act]; to lie upon the Table.

### POLLING DISTRICTS (COUNTY OF LANCASTER).

Copies presented, of Orders made by the Council of the County of Lancaster dividing the Eccles, Radcliffe-cum-Farnworth, and Stretford Parliamentary Divisions into Polling Districts [by Act]; to lie upon the Table.

### PENAL SERVITUDE ACTS (CONDITIONAL LICENCE).

Copy presented, of Licence granted by His Majesty to Teresa Rea, a convict under detention in Aylesbury Prison, permitting her to be at large on condition that she enter the East End Refuge, Finchley, N. [by Act]; to lie upon the Table.

### FACTORY AND WORKSHOP (SCHEMES FOR REGULATION OF HOURS OF EMPLOYMENT, ETC. IN CHARITABLE INSTITUTIONS).

Copies presented, of Schemes for the Regulation of Hours of Employment, intervals, and holiday of workers in Charitable Institutions, approved by the Secretary of State in pursuance of the powers conferred on him by The Factory and Workshop Act, 1907 [by Act]; to lie upon the Table.

### UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (OXFORD).

Copy presented, of Statute made by the Governing Body of St. John's College, Oxford, on the 2nd May, 1908 (and sealed on the 6th May, 1908), altering and amending Statute XV., Clause 4, of the Statutes of the College [by Act]; to lie upon the Table, and to be printed. [No. 294.]

### UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1877 (OXFORD).

Copy presented, of Statute made by the Governing Body of Queen's College, Oxford, on the 10th June, 1908 (and sealed on the same date), altering the Statutes of the College by adding thereto a new Statute No. XXIV. (the Southampton Exhibitioners) [by Act]; to lie upon the Table, and to be printed. [No. 295.]

### MERCHANT SHIPPING ACT, 1894.

Copy presented, of Orders in Council, dated 1st August, 1908: (1) continuing in force until 31st December, 1908, the Bye-laws relating to Pilotage Rates between Hull and Goole, approved by Order in Council of 2nd November, 1907; (2) approving Pilotage Bye-laws made by the Tees Pilotage Commissioners in substitution for the Bye-laws approved by Order in Council of 26th October, 1896; (3) approving Pilotage Bye-laws made by the Bristol Pilotage Authority [by Act]; to lie upon the Table.

## FOREIGN JURISDICTION ACT, 1890.

Copy presented, of Orders in Council, dated 26th September, 1908: (1) revoking the Brunei Orders in Council of 1901 and 1906; (2) allowing appeals to His Majesty in Council from decisions of the Straits Settlements Supreme Court, sitting as a Court of Appeal, from the Courts having jurisdiction in Brunei; (3) the Foreign Jurisdiction (Probates) Order in Council, 1908; (4) the Pacific Order in Council (1893) Amendment Order, 1908 [by Act]; to lie upon the Table.

## EXTRADITION ACTS, 1870 AND 1873.

Copy presented, of Order in Council, dated 1st August, 1908, entitled "The Straits Settlements Extradition Order, 1908" [by Act]; to lie upon the Table.

## MAIL SHIPS ACTS, 1891 AND 1902.

Copy presented, of Order in Council, dated 1st August, 1908, entitled "The Mail Ships (Rules) Order in Council, 1908" [by Act]; to lie upon the Table.

## NAVAL AND MARINE PAY AND PENSIONS ACT, 1865.

Copy presented, of Orders in Council approving Memorials of the Lords Commissioners of the Admiralty praying sanction to—1. An improvement in the pay of Captains in the Royal Marines after eleven and fourteen years seniority, respectively, dated 1st August, 1908; 2. The payment of an allowance of 10s. a month to Warrant Officers and Officers promoted therefrom, when employed on duties connected with target practice and other duties, for wear and tear of clothing, dated 1st August, 1908; 3. An extension of the allowances for bread-making on board His Majesty's ships, dated 26th September, 1908; 4. Extra pay for Seamen and Artificer Divers at depths of more than 25 fathoms, dated 26th September 1908; 5. The payment of an allowance of 3d. a day to Seamen Gunners employed on clerical duties under certain conditions, dated 26th September, 1908; 6. The payment of an allowance of 2s. 6d. a day to the Assistant Paymaster appointed for duty with the Captain Commanding Torpedo Destroyers of the Channel Fleet for work of an onerous and responsible character, dated 26th September, 1908 [by Act]; to lie upon the Table.

## ECCLESIASTICAL FEES.

Copy presented, of Order in Council, dated 6th October, 1908, allowing a Table of Ecclesiastical Fees and Payments settled by the Archbishop of Canterbury, the Lord Chancellor, and the Archbishop of York, in pursuance of the Acts 1 and 2 Vic., c. 106, and 30 and 31 Vic., c. 135 [by Act]; to lie upon the Table.

## EVICTED TENANTS (IRELAND) ACT, 1907.

Copy presented, of Return giving particulars of cases in which persons have been reinstated with the assistance of the Estates Commissioners during the quarter ended 30th June, 1908 [by Command]; to lie upon the Table.

## SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Urban District Council of Cookstown, and confirmed by the Lord-Lieutenant of Ireland, fixing the Hours of Closing of certain classes of shops [by Act]; to lie upon the Table.

## DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 AND 1907.

Copy presented, of Order, dated 1st October, 1908, of the Department of Agriculture and Technical Instruction in Ireland, entitled "The Black Scab in Potatoes (Ireland) Order, 1908" [by Act]; to lie upon the Table.

## MOTOR CAR ACTS.

Copy presented, of Order made by the Local Government Board for Ireland limiting the speed of Motor Cars on certain roads in the county of Wicklow, etc. [by Act]; to lie upon the Table.

## LOCAL GOVERNMENT BOARD (IRELAND.)

Copy presented, of Order entitled "The Labourers (Ireland) Order, 1908" [by Act]; to lie upon the Table.

## DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 AND 1907.

Copy presented, of an Order, dated 14th August, 1908, entitled The American Gooseberry Mildew (Kent) Order, 1908 (No. 2) [by Act]; to lie upon the Table.



### DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 AND 1907.

Copy presented, of an Order, dated 28th August, 1908, entitled The American Gooseberry Mildew (Essex) Order, 1908 [by Act]; to lie upon the Table.

### DISEASES OF ANIMALS ACTS, 1894 to 1903.

Copy presented, of an Order, No. 7559, dated 22nd September, 1908, relating to Animals being carried on the ss. "Diana" [by Act]; to lie upon the Table.

### LEEWARD ISLANDS.

Copy presented, of an Act further to amend The Prison Act, 1877, and to enable Prisoners to earn by special industry a remission of a portion of their imprisonment, together with Rules made under Section 2 thereof [by Act]; to lie upon the Table.

### CLERGY (WEST INDIES).

Copy presented, of Return of the Amount payable on 5th January, 1908, out of the Consolidated Fund for Ecclesiastical purposes in the West Indies [by Act]; to lie upon the Table.

### SUPERANNUATIONS.

Copy presented, of Treasury Minute, dated 16th September, 1908, declaring that for the due and efficient discharge of the duties of the office of Assistant Director of Public Prosecutions professional or other peculiar qualifications not ordinarily to be acquired on the Public Service are required [by Act]; to lie upon the Table.

### NAVY (HEALTH).

Copy presented, of Statistical Report of the Health of the Navy for the year 1907 [by Command]; to lie upon the Table, and to be printed. [No. 296.]

### NAVY AND ARMY (INQUIRIES).

Return presented, relative thereto ordered 30th July; *Mr. Bellairs*]; to lie upon the Table, and to be printed. [No. 297.]

### PAPERS LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Mersey Docks and Harbour Board.—Copy of Accounts of the Mersey Docks

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and Harbour Board for the year ending 1st July, 1908 [by Act].

Supreme Court (Rules).—Copy of Rules of the Supreme Court, dated 26th August, 1908 [by Act].

Royal University of Ireland.—Copy of Accounts of Receipts and Expenditure of the Royal University of Ireland for the year ended 31st March, 1908, together with the Report of the Comptroller and Auditor-General thereon [by Act]; to be printed. [No. 298.]

### QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

#### Retrenchment of the South African Constabulary.

MR. GODFREY BARING (Isle of Wight): To ask the Under-Secretary of State for the Colonies whether 1,200 men of the South African Constabulary were retrenched while that force was under the control of the High Commissioner and the Inter-Colonial Council.

(Answered by Colonel Seely.) These retrenchments took place while the force was still under the High Commissioner and Inter-Colonial Council, but they were really effected on the advice of Ministers which Lord Selborne felt he ought to follow.

#### Magistrates and Birching.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Secretary of State for the Home Department whether his attention has been directed to the fact that Mr. Fordham in the North London Police Court on Tuesday last, in a case in which a boy was charged with misconduct, called up the father of the lad and told him that the law precluded him from administering a good flogging, and that he should have to send the boy to gaol for several months, but stated that if the father flogged the boy within the precincts of the Court, and if the gaoler reported to the magistrate that he had had a proper flogging, he would let him go; whether he is aware that Mr. Fordham told the father of the boy, who was reluctant to flog him, you must

give him twelve strokes with the birch-rod, nice, steady, full strokes; you must wait a little, however, for meanwhile the gaoler will put the birch in water to make it nice and pliable; and whether he will take any, and, if so, what, steps in relation to this incident.

(Answered by Mr. Secretary Gladstone.) I find on inquiry that the boy to whom the Question refers was convicted of indecent exposure with intent to insult three girls, which offence he did not deny. The magistrate, feeling that the offence could not be passed over without punishment, but being reluctant to send a boy of fifteen to prison, released him without imprisonment, on condition that his father birched him, which was done in the precincts of the Court. The father agreed that this was the proper punishment for the lad. I do not propose to take any action in the matter.

### QUESTIONS IN THE HOUSE.

#### H.M.S. "Whiting."

MR. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty whether the Board has yet ascertained what rank and numbers of officers, together with the numbers of seamen and stokers, were on board H.M.S. "Whiting" at the time she was blown ashore at Hong-Kong; what position she occupied at anchor; and what is the complement of the vessel in full commission.

THE FIRST LORD OF THE ADMIRALTY (Mr. McKenna, Monmouthshire, N.): One lieutenant and one engineer-lieutenant were on board, together with three-fifths of full crew. The "Whiting" was at the time at Chung-Kwang-O for exercises.

#### War Material.

MR. BELLAIRS: I beg to ask the Prime Minister whether he is aware that in the two years prior to the general election £1,606,000 was voted under Army Estimates and £5,270,000 under Navy Estimates for guns, projectiles, ammunition, torpedoes, and gun-cotton, while in the last two years, 1907-8 and

1908-9, £897,000 under Army Estimates and £2,351,000 under Navy Estimates have been voted in each case; and whether the Defence Committee have examined these figures during the recess and can give the corresponding figures of actual expenditure, together with an assurance that, in spite of these reductions of 44 per cent. for the Army and 56 per cent. in the case of the Navy in the amount voted for these war stores, there has been no diminution in our immediate readiness for war.

MR. McKENNA: The Prime Minister has asked me to reply to that part of the Question which concerns the Admiralty. The figure for the items quoted for 1904-5, 1905-6, is correct—that for 1907-8, 1908-9, incorrect, and should be £3,351,000 not £2,351,000; the percentage reduction is therefore 36 per cent., not 56 per cent. The actual expenditure for the period 1904-5 was £5,254,294. The full expenditure for 1907-8, 1908-9 has not yet been incurred, and therefore cannot be given. There has been no diminution in our immediate readiness for war.

#### Adjutants of Territorial Units.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War whether it is his intention before the end of the year to post regular adjutants to all recognised Territorial units for which adjutants are allowed.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): Adjutants have been appointed to almost all recognised units for which adjutants are allowed, and no doubt all will be posted by the date referred to. Regular officers are in almost all cases being selected for these important appointments, but under certain circumstances it has been decided that officers of the Territorial Force may be considered for appointment if recommended by the General Officer Commanding-in-Chief.

MR. ASHLEY: Can the right hon. Gentleman state what are the special circumstances which justify him in departing from the usual practice?

**MR. HALDANE:** That is for the General Officer Commanding to consider. There may be some extremely competent officer in the Territorial Force whom it may be desirable to appoint.

#### **Yeomanry Non-Commissioned Officers and the Separation Allowance.**

**MR. ASHLEY:** I beg to ask the Secretary of State for War whether all married non-commissioned officers in the Yeomanry, including those who hold lance appointments, will receive separation allowance.

**MR. HALDANE:** All married non-commissioned officers, including those holding lance appointments, who are paid at the rates prescribed for the Territorial Yeomanry, will receive separation allowance. The allowance will not be drawn by non-commissioned officers who retain the old Yeomanry rates and conditions of pay, as it was not an emolument enjoyed by the Imperial Yeomanry.

#### **Saumur Cavalry School.**

**MR. ASHLEY:** I beg to ask the Secretary of State for War whether it is proposed to send any officers to attend a course at the cavalry school of Saumur; if so, how many officers, and of what rank, will proceed there; and will all expenses be defrayed from War Office funds.

**MR. HALDANE:** Two cavalry lieutenants are attending a course at the cavalry school at Saumur which commences this month. The question of the allowances which will be made to these officers is receiving consideration.

**MR. ASHLEY:** Are we to understand that officers who desire to make themselves efficient by this means will have all their out of pocket expenses?

**MR. HALDANE** was understood to reply that the whole matter was being considered.

#### **Calcutta—Gossain's Assassination.**

**MR. REES** (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether he can give the House any information regarding the assassina-

tion of the approver Gossain in gaol at Calcutta.

**THE UNDER-SECRETARY OF STATE FOR INDIA** (Mr. BUCHANAN, Perthshire, E.): The facts of this most regrettable case have been reported in the newspapers. The approver was shot in Alipur Gaol on August 31st, by two of the accused in the Manicktola bomb conspiracy case, who obtained access to him on the pretence that they wished to make a confession. At the time when the Government of India telegraphed the facts, there was no clue as to how the murderers obtained possession of the revolvers. Full inquiry is being made into all the circumstances of the case, but the Secretary of State has not yet heard the result. The trial of the accused took place before the Sessions Judge of Alipur on September 7th, 8th, and 9th.

#### **The Balkan Peninsula.**

**MR. WALTER LONG** (Dublin, S.): May I ask whether the Prime Minister is prepared to make any statement with regard to the events which have occurred in Bulgaria?

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY** (Mr. ASQUITH, Fifehire, E.): As my right hon. friend the Secretary of State for Foreign Affairs and I myself have already publicly stated, it is impossible for this country, in the interest of the value of treaties, to recognise an alteration of them made by any individual State without the consent of the other parties. We hold to that principle. We regard the events which have recently taken place in the Near East as necessitating consideration by the Powers with the view of arriving at a settlement which shall show due regard to the interests of Turkey or any States which may have been prejudiced by recent changes. We hope and trust that a solution will be found, and we shall use our influence to help to secure that it shall be both peaceful and equitable. No definite arrangement for a Conference has been come to, and the question of how a settlement can be attained, and what should be comprised in it, is at present forming the subject of discussion. Meanwhile, we hope that those who naturally

feel aggrieved will not precipitate a crisis by hasty action, and will continue to show the moderation and restraint which have hitherto distinguished them, relying upon the general desire which we believe exists to show fair consideration for their interests.

#### **Roman Catholic Disabilities.**

**LORD EDMUND TALBOT** (Sussex, Chichester): May I ask the Prime Minister whether the Government will introduce at an early date legislation for the repeal of such statutory enactments affecting Roman Catholics as place them in a disadvantageous and inferior position as compared with other religious bodies in this country?

**MR. WILLIAM REDMOND** (Clare, E.): Is it not a fact that a Bill for this purpose, removing these disabilities from Roman Catholics, has been introduced for many years into this House by a private Member sitting on the Nationalist Benches? May I ask, if such a Bill be re-introduced, whether the Government will support it, and give facilities for its passing?

**MR. ASQUITH**: I will ask the noble Lord and the hon. Member to put the Questions on the Paper, when I will give them due consideration.

**MR. WILLIAM REDMOND**: I beg to give notice that I will put on the Paper the Question the Prime Minister asks me. At the same time, in accordance with the notice I have given for the 27th of this month, I will ask leave to introduce a Bill to remove the disabilities which affect the Roman Catholic population.

#### **The Government and the Unemployed.**

**MR. ARTHUR HENDERSON** (Durham, Barnard Castle): I desire to ask the Prime Minister a Question of which I have given private notice, namely, whether in view of the great amount of suffering caused by the present extent of unemployment he can state when the Government will be in a position to inform the House what he proposes to do to alleviate the distress, and when a day can be given to discuss this subject.

**MR. ASQUITH**: The hon. Gentleman may be assured that this matter is engaging the very serious consideration of the Government, and I hope in the course of a very few days that we shall be able to make a statement. Then it will be possible to say whether further discussion is or is not necessary.

#### **London Electricity Bills Second Reading.**

**MR. LOUGH** (Islington, W.): Has the Prime Minister received an intimation that it will be very inconvenient to many London Members, and especially to the hon. Member for Fulham, who is to move the rejection of these Bills, to take the London Electricity Bills to-night or this week; and can the right hon. Gentleman see his way to postpone them for a week or two?

**MR. ASQUITH**: The Bills will not be proceeded with to-day or to-morrow.

#### **BUSINESS OF THE HOUSE.**

**MR. WALTER LONG**: Has the Prime Minister anything to say as to the general course of business this week? May I ask also whether the Government will be prepared to give the House an opportunity to discuss the regulations that have been issued under the Old-Age Pensions Act from time to time, and which, I believe, under the Rules of the House have to lie on the Table for twenty-one days before they become law? There are several points arising under these regulations which some hon. Members would like to discuss.

**MR. ASQUITH**: As regards the course of business this week, it will remain as I foreshadowed it before the House rose. We shall take the Children Bill to-day and to-morrow, and the Prevention of Crimes Bill if there is time. The remainder of the week will be devoted to the Licensing Bill under the closure resolutions. As regards the regulations under the Old-Age Pensions Act, if the right hon. Gentleman and any other Members will be good enough to indicate to me what are the particular points on which they desire discussion to take place, I will give careful consideration to them, and see if it will be to the general convenience of the House to discuss them.



# WRIT ISSUED DURING THE ADJOURNMENT.

Mr. SPEAKER acquainted the House that he had issued during the Adjournment a Warrant for a New Writ for the City of Newcastle-on-Tyne, in the room of Thomas Cairns, esquire, deceased.

## NEW MEMBER SWORN.

Rupert Edward Cecil Lee Guinness, esquire, commonly called the hon. Rupert Guinness, for the Parliamentary Borough of Shoreditch (Haggerston Division).

## PROVISIONAL ORDERS PROCEDURE BILL [LORDS].

Read the first time; to be read a second time To-morrow, and to be printed. [Bill 363.]

## CHILDREN BILL.

Order for Consideration, as amended (by the Standing Committee), read.

LORD R. CECIL (Marylebone, E.) moved the recommittal of the measure in respect of Clauses 39 to 44, which made it a criminal offence for any boy or girl under sixteen to buy cigarettes or cigarette papers, or to be seen smoking cigarettes in a public place. He said he was not taking this course with any idea of hostility towards the Bill, which, generally speaking, was one that in his opinion should receive the support of Members in all parts of the House; indeed, he believed the Under-Secretary for the Home Department would be the first to admit that in pressing it forward he had received material assistance in Grand Committee from hon. Members on the Opposition side. His action, therefore, was not dictated by any dislike of the Bill; it was due rather to the idea that certain clauses were open to misconception, and he desired that the House as a whole should consider their bearing. The clauses he referred to were numbered 39 to 44, and these made it a criminal offence for any boy or girl under sixteen years of age to buy any cigarettes or cigarette papers or to be seen smoking a cigarette in a public place. He would like to draw attention to the arguments

by which these drastic proposals were supported. They seemed to him to suggest a kind of flavour of immorality attaching to the smoking of cigarettes by boys and girls. It had been sought to support the general provisions of the Bill by reference to the Report of the Select Committee of the House of Lords which in 1906 examined into this question. He had read that Report, and he ventured to say there really was no ground at all for any such opinion. In his view a more tenable ground of objection was that cigarette-smoking by young people was very unhealthy. A great deal had been said about the injury done to the constitution of children by the practice, but if they examined the evidence he thought they would arrive at the conclusion that the objection on that ground was not so strong as it was generally thought to be. There were two witnesses on whom the House of Lords Committee mainly relied—Professor Sims Woodhead and Sir William Broadbent, and neither of these gentlemen was able to assign any specific evil to cigarette-smoking, although both agreed very strongly that it was bad for everybody, and certainly for the young. But when people talked of it as inflicting a terrific injury on the health of the youth of this country there seemed to be some danger of exaggeration. He did not himself believe that either of those gentlemen—Sir William Broadbent was unhappily no longer with them—or any other medical man would maintain that cigarette-smoking was worse, for instance, than habitually keeping children out of bed until a very late hour; yet no one proposed to make it an offence for a child to be seen in the streets after a certain hour at night. He also doubted very much whether cigarette-smoking was as bad for children as excessive indulgence in sweets. Professor Woodhead said that bad as the smoking of tobacco was for young children the smoking of brown paper was a great deal worse, yet, oddly enough, that was not to be made a criminal offence. He was not offering these observations with any idea of advocating cigarette-smoking; he was not himself a cigarette-smoker. He did not doubt that children were very much better without cigarette-smoking, and certainly indulgence in it to an

excessive extent must be bad for them. He agreed that it was a bad habit, and that in some cases it did real harm. They therefore had in it the first requirement of legislation; they had an evil to cope with, but before they passed the legislation they must consider whether it was going to do any good. The question was not whether tobacco or cigarette-smoking was an evil for the young, but whether their legislation would cure it. To arrive at a decision on that point they must first ask themselves: Why did boys and girls smoke cigarettes? Why did they smoke this filthy stuff, which was not even tobacco, which they bought at the rate of five for 1d., and which was even nastier than brown paper? The reply to that question was that they smoked out of bravado, and not because they were going to get such pleasure as the ordinary smoker claimed to obtain—although, personally, he had never been able to see where it came in; they smoked in order to swagger and pretend that they were older than they really were. If it were made a criminal offence there was a risk of encouraging the boys who now smoked to smoke more than ever. This was not a matter for the criminal law at all, and it was important that that law should not be applied to a subject to which it was not properly applicable. And it was even more important to avoid saying: “We disapprove such-and-such a practice; we will therefore make it a criminal offence for people to indulge in it and will bring them before the criminal Courts.” That would be very likely to bring the criminal law into disrepute, and it was a procedure too which was bad in itself. It was for that reason mainly that he was opposed to this group of clauses.

\*MR. SPEAKER: The noble Lord is now discussing the clauses themselves. I must point out that in moving the re-committal of the Bill a Member is not entitled to discuss the merits of the clauses, but merely to give reasons why they should be sent to a Select Committee.

LORD R. CECIL said he very much regretted that he should have transgressed the proper limits of order, but what he was anxious to show was that

*Lord R. Cecil.*

these clauses required further consideration before they were passed into law, and in order to obtain such consideration they should be sent to a Select Committee with power to hear fresh evidence. There was one proposal which required to be very seriously considered; and that was the provision that the parents of a child brought before the criminal courts should also be required to attend. If they compelled a parent to come to a court to hear a case against his child, they would fine that parent the amount of a day's work, if not inflict upon him more serious injury. They ought to consider very carefully before they made this a criminal offence. There was one passage in the evidence given before the Lords Select Committee which the House would do well to carefully consider. Sir W. Broadbent was asked whether smoking led to drinking, and he replied that in his opinion the two habits went very much together. Smoking was not merely an incentive to thirst, but it encouraged self-indulgence, and self-indulgence in one thing led to self-indulgence in another. It amounted to this, that the evil of cigarette smoking in the opinion of this distinguished doctor was not so much an actual physical evil as that it led to self-indulgence when its twin led to moral degradation. They ought, therefore, very carefully to consider before they passed a law which would in fact apply to a child the criminal law for the correction of what was merely a moral offence. It was on these grounds he desired to have this group of clauses further considered. Everybody admitted that cigarette-smoking was bad for children; everyone would agree that if parents did their duty they would stop their children indulging in it, but it was a very different thing to make it a criminal offence. He therefore trusted the House would agree to send these clauses to a Select Committee for further consideration, in the hope that they would be moulded in such a form as to avoid the injurious results which he feared would follow their enactment as they now stood.

MR. BOWLES (Lambeth, Norwood): I beg to second.

Motion made, and Question proposed,  
“That the Bill be re-committed to a

Select Committee in respect of Clauses 39 to 44, inclusive."—(*Lord Robert Cecil.*)

\*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said the ruling of the Speaker had rendered it unnecessary for him on that occasion to discuss the merits of that part of the Bill which dealt with juvenile smoking, but when the time came for considering those clauses the Government would have no difficulty in showing both their necessity and their practicability. So far as the necessity for inquiry was concerned, the matter had been carefully considered by three committees. There was the well-known Departmental Committee on Physical Deterioration in 1904, which took evidence on this very subject and came to an unanimous and emphatic conclusion that legislation was necessary for the suppression of juvenile smoking. Two years later the other House appointed a Select Committee specially to deal with the subject. That Committee took much evidence from medical witnesses, schoolmasters, and social workers of all kinds, and it again unanimously and with equal emphasis recommended that legislation practically on the lines of this Bill should be adopted. In the present session they had had prolonged discussions in the Standing Committee on the Bill. That Committee devoted three and a half sittings to the consideration of these clauses alone. The attendance of Members was full; the clauses were most minutely and carefully examined, and though they were opposed by only a very small group of Members the opposition was keen and active and not a point escaped consideration. The closure was never moved throughout the sittings of the Committee. Surely there was no need for further consideration by a fourth Committee. The noble Lord agreed that juvenile smoking was an evil, and the only point therefore, was whether the legislation proposed would cure it or not. That was a matter for the House. If the House thought the clauses unsuitable it had the remedy in its own hands and the clauses could be modified or rejected, but the noble Lord had adduced no new facts or fresh considerations showing that the matter required further examina-

tion by a committee. He ventured to suggest indeed that the real object of the noble Lord in moving this Resolution was rather to display at the earliest possible moment his objection to this part of the Bill than to secure its acceptance by the House.

SIR F. BANBURY (City of London) had much pleasure in supporting the Motion of the noble Lord. He did not think the Under-Secretary had advanced any strong arguments against it. He had told them the matter had been considered by a Departmental Committee as well as by a Select Committee of the House of Lords, but was that any reason why the House of Commons should not have its own Committee to inquire into a matter which vitally affected all classes of people? Surely it was a new doctrine to propound that because the House of Lords had come to a certain decision, that must be accepted as the basis of legislation by the House of Commons. He did not think that that argument would hold water with many hon. Members on the Government benches. This was an extremely important matter, and before they converted the practice of cigarette-smoking by young people into a criminal offence they ought to have the whole question carefully considered by a Committee of their own House. It was not sufficient to look at it from a medical point of view. There was also the question of practicability to be borne in mind, as well as its relation to the interests of the working classes. Before they decided to make a man a criminal because his son of fifteen smoked cigarettes they ought to have strong evidence laid before a responsible tribunal to show the necessity for legislation of that nature.

MR. RAWLINSON (Cambridge University) reminded the House that he spoke against the whole of these clauses on the Second Reading of the Bill and he need not repeat his views on that occasion. But he desired to point out that in this matter they were making an entirely new departure, and in his opinion they had altogether failed in this ill-considered Bill to deal with the means by which they could most effectively stop cigarette-smoking by boys

under sixteen years of age. Let him cite one concrete example to show the inadequacy and weakness of their proposals. Let them consider what would be the operation of the Bill in country districts. It would be the duty of a policeman to summon a boy found smoking before a Petty Sessional Court several miles away—to bring him, and possibly his father, before a Court for the first time. And that Bench would have no power to inflict any punishment at all, but merely to warn him that if he was caught again, it might be with a cigarette in his pocket, he might be fined 5s. That was an undignified position in which to place the Courts of law. Surely it was possible to invent some less clumsy method of dealing with the evil.

There was a German method of dealing with a question of that kind. For instance, in the case of riding a bicycle without a light, they did not hale the offender before a Court, but served him with a notice to pay a shilling or something of that kind, and if he was guilty he paid the shilling and did nothing more. Some such system as that might possibly be evolved in this particular case. What he submitted was that it might be possible to have a Committee with practical experience of sitting in petty sessions, an experience which seemed to be absent from the gentlemen who drew up this Bill, and they would know the unworkability of these clauses. He pressed the House strongly to allow the matter to go to a Committee to see if they could not discover a better way of securing what the House wished to be done, viz., the stopping of smoking by boys under sixteen, than by invoking the criminal law. He hoped the Government would see their way to accede to the Motion, and that some way would be devised for carrying out what they wished to see done, viz., that juvenile smoking should be put an end to.

\*MR. LUPTON (Lincolnshire, Sleaford) said he agreed with the noble Lord and with the last speaker as to the seriousness of making a new crime, especially in such a matter as this. If the Bill had been one to make it a crime for anybody to smoke up to the age of sixty he might have thought better of it. He thought

the idea of making it penal to smoke when all his elders ing in his presence was how the fathers of the country were against smoking, let them set t of not smoking. It was b young and old, and he was was not worse for the for the young; old people and young people did not. Government weakened the authority they weakened a authority, and the child cou led astray on all hands. Th want boys forbidden to and that by statute, but had learnt to do their dut do as they were told. Any had attended the discussion House knew how matters w and how there was no time consideration, and he though ments of the last speaker sufficient justification for re matter back to a Committee. the Bill would be ridiculous in form. It forbade cigarette-sm when they reached the last clauses in question it forb things. It did not, howev smoking a big cigar, and it mi it was a Bill to legalise the big cigars by little boys. what it amounted to; the litt get a big cigar, and the C decide what was a big and a little cigar. The little cigar even for a great big boy of feet. The Bill as it stood absurd, and he hoped the H pause before rushing down incline of interfering betwe and their children. Already c been taught by law to think were other people in the count to their parents. The fat think it a good thing for smoke, and why should the b he was smoking because his fatl he should? The law in fut forbid a boy to smoke a cigar would permit him to drink rum, and the boy would say t not forbid him to drink a gla but only his father, and th Government thought it wron rum they would have passed that effect. He would not s

*Mr. Rawlinson.*



all the vices by which little boys were beset, but the Bill amounted to legalising all these other vices. If they once interfered in this way with such details they would be, in effect, legalising all these other vices. He thought most earnestly and seriously that it would be a good thing if these clauses were referred to a Select Committee, where the whole matter might be argued out at length and in detail. He was not prepared to defend smoking; he believed it was a vile practice, which he learnt when he was young and gave up again in a few years when he had a little more sense. It was true the Government only proposed a reprimand in the first instance, a 5s. fine in the second instance, and 10s. in the third, but if the 10s. was not forthcoming—

**MR. SPEAKER:** The hon. Gentleman is now discussing the clauses of the Bill. He should give reasons for sending these particular clauses back to a Committee and not discuss particulars now. They will come later.

**MR. LUPTON** said he only wanted to show how serious the matter was if it might lead to a boy being committed to prison for non-payment of a fine.

**MR. WALTER LONG** (Dublin, S.) said he would support his noble friend if he went to a division. He did not propose to discuss the clauses or the order question opened by the hon. Gentleman in regard to whether smoking was wholesome or not. He did not state his views either as to the unwholesomeness of smoking or as to the excellent results following from non-smoking habits. They were asked, and reminded by Mr. Speaker that it was their whole duty to consider, what reasons there were for the adoption of the Motion of his noble friend. The Under-Secretary and the noble Lord had given no reason, and the hon. Gentleman on the other side had given no adequate reason for adhering to this procedure. He had told them he would later on justify these views. He (Mr. Long) had often said to that House that he believed the Standing Committees were being rendered in positive danger by the amount and the quality and character of the work referred

to them. Everybody who had spoken in that debate had dwelt on the fact that they were creating a new crime, and they were deliberately proposing to make it a crime which would be recorded against children of tender years and be to their discredit afterwards that they should have indulged in the habit of cigarette-smoking, as to which they knew very little when they were induced by their companions to take to it for the first time. The Under-Secretary had referred to the inquiries held by Committees of the other House, and said he knew of medical men, and so on; but what he had failed to meet was this. It was asked by his noble friend that the clauses should be referred to a Select Committee for two reasons, one being, as he gave abundant evidence in his speech to show, that there was great ground for further consideration before a decision was arrived at, and the other that evidence could not be considered by the House itself on the Report stage. The Under-Secretary ignored the fact known to everybody that the Report stage of a Bill was almost an impossible one for the raising of new matter and for the making of proposals which frequently required, not only further consideration, but for their good presentment to the House detailed examination, which was only possible when those in favour or against could address the House more than once. He was astounded that this Government and the Party which supported them should be prepared, on such a very limited examination of the facts, to create a new crime out of what he believed was a very unwholesome practice, but nobody hitherto in his senses had thought that a child ought to be considered as a criminal because he happened to smoke a cigarette. In his opinion it was grandmotherly legislation of the worst possible kind, and he agreed with the hon. Member for Sleaford when he said that if they wanted to improve the morality of the younger generation they would not do it by legislation of that kind. They would not only not improve it, but they would do something worse. They would undermine their strength of character if they taught them that by indulging in this practice they were making themselves criminals, when they ought to teach them

to follow the precepts and examples of those older than themselves and avoid such practices, which they were told on good authority were very injurious ; but he was bound to say that, notwithstanding the fact that a large number of boys were to be seen smoking cigarettes, he had not come across any evidence—and he did not know where the doctors got it from—to prove that there was any sign amongst our men of a deterioration of strength as a consequence of this habit. However that might be, he believed there was abundant evidence to show that they could deal with it effectively without making it a crime. There would be no

chance for the consideration of an alternative proposal on the F and if his noble friend went he should certainly support. He believed the Motion was in the mind of the mass of the people of in regard to whom he thought it was unfair that the House should make a declaration of this kind which had not been made either in the House or in the consideration which it was now justified.

Question put.

The House divided :—Ayes 164. (Division List No. 241.)

### AYES.

Ashley, W. W.  
Atherley-Jones, L.  
Banbury, Sir Frederick George  
Barrie, H. T. (Londonderry, N.)  
Bignold, Sir Arthur  
Bull, Sir William James  
Byles, William Pollard  
Carlile, E. Hildred  
Chaplin, Rt. Hon. Henry  
Collings, Rt. Hon. J. (Birmingham)  
Corbett, C. H. (Sussex, E. Grinst'd)  
Craig, Charles Curtis (Antrim, S.)  
Douglas, Rt. Hon. A. Akers-  
Duncan, Robert (Lanark, Govan)  
Fell, Arthur  
Gardner, Ernest

Goulding, Edward Alfred  
Guinness, Hn. R. (Haggerston)  
Hay, Hon. Claude George  
Heaton, John Henniker  
Hill, Sir Clement  
Hope, James Fitzalan (Sheffield)  
Joynson-Hicks, William  
Kimber, Sir Henry  
Law, Andrew Bonar (Dulwich)  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
Lupton, Arnold  
Magnus, Sir Philip  
Nolan, Joseph  
Pease, Herbert Pike (Darlington)

Pickersgill, Edward  
Randles, Sir John  
Rawlinson, John  
Talbot, Lord E.  
Thorre, William  
Thornton, Percy  
Walrond, Hon. I.  
Walsh, Stephen  
Wilson, A. Stanley  
Wortley, Rt. Hon.  
Wyndham, Rt. Hon.  
Younger, George

TELLERS FOR THE AYES.  
Robert Cecil and

### NOES.

Abraham, William (Cork, N. E.)  
Armstrong, W. C. Heaton  
Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Beauchamp, E.  
Belloc, Hilaire Joseph Peter R.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Boland, John  
Boulton, A. C. F.  
Bowerman, C. W.  
Bramsdon, T. A.  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hon. Sydney Charles  
Carr-Gomm, H. W.  
Causton, Rt. Hon. Richard Knight  
Channing, Sir Francis Allston  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.  
Cleland, J. W.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Cooper, G. J.  
Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.

Cowan, W. H.  
Cox, Harold  
Crooks, William  
Curran, Peter Francis  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dilke, Rt. Hon. Sir Charles  
Dobson, Thomas W.  
Duncan, C. (Barrow-in-Furness)  
Duncan, J. H. (York, Otley)  
Dunn, A. Edward (Camborne)  
Essex, R. W.  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Ferens, T. R.  
Fiennes, Hon. Eustace  
Foster, Rt. Hon. Sir Walter  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gladstone, Rt. Hon. Herbert John  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Griffith, Ellis J.  
Grove, Archibald  
Guinness, W. E. (Bury S. Edm.)  
Gulland, John W.  
Gurdon, Rt. Hon. Sir W. Brampton  
Harcourt, Rt. Hon. L. (Rossendale)  
Harcourt, Robert V. (Montrose)

Hardie, J. Keir (Aberdeen)  
Harmsworth, Cecil  
Haslam, James (Birmingham)  
Haslam, Lewis (Birmingham)  
Henderson, Arthur  
Henry, Charles S.  
Higham, John St.  
Hobhouse, Charles  
Hodge, John  
Holland, Sir William  
Hudson, Walter  
Idris, T. H. W.  
Jacoby, Sir James  
Jardine, Sir J.  
Johnson, W. (Newcastle)  
Jones, William (Cardiff)  
Kearley, Sir Hudson  
Kekewich, Sir George  
Kincaid-Smith, C.  
Lamb, Edmund G.  
Lamb, Ernest H.  
Lambert, George  
Lea, Hugh Cecil (Birmingham)  
Leese, Sir Joseph  
Lehmann, R. C.  
Lever, A. Levy (Birmingham)  
Lever, W. H. (Birmingham)  
Lewis, John Herl  
Lockwood, Rt. Hon.  
Lough, Rt. Hon.

*Mr. Walter Long.*

Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 M'Iver, Sir Lewis  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Nicking, Major G.  
 Mallet, Charles E.  
 Marnham, F. J.  
 Massie, J.  
 Mateno, Percy Alport  
 Montagu, Hon. E. S.  
 Morgan, J. Lloyd (Carmarthen)  
 Murray, Capt. Hn A C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 O'Brien, William (Cork)  
 O'Connor, John (Kildare, N.)  
 O'Connor, T. P. (Liverpool)  
 O'Malley, William  
 Parker, James (Halifax)  
 Pearce, William (Limehouse)  
 Ponsonby, Arthur A. W. H.

Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Redmond, William (Clare)  
 Rees, J. D.  
 Richards, T. F. (Wolverhampton)  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Schwann, Sir C. E. (Manchester)  
 Sears, J. E.  
 Sherwell, Arthur James  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Stanger, H. Y.  
 Steadman, W. C.

Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Strauss, E. A. (Abingdon)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Toulmin, George  
 Verney, F. W.  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waterlow, D. S.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Williams, Osmond (Merioneth)  
 Wilson, P. W. (St. Pancras, S.)  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

\*MR. HERBERT SAMUEL, said the new clause on the subject of overlying was one which was moved as the outcome of a very long discussion on the subject of the Committee upstairs in substitution for a clause which found a place in the Bill on its first introduction. There were every year about 1,600 deaths of infants from this cause in England and Wales, and it was impossible for the State altogether to ignore this terrible rate of mortality. That admirable Society, the National Society for the Prevention of Cruelty to Children, had long urged that legislation should be passed on this subject, and they found the Coroners throughout the country repeatedly calling attention to the grave rate of mortality among infants due to this cause and appealing to Parliament for law in regard to it. The hon. Member for Portsmouth last year introduced a Bill having this as one of its chief objects. The clause as it originally stood made overlying an offence under all circumstances, and it was punishable by a fine of £10, but if the parent or other person who was responsible could be proved to be under the influence of drink at the time, then the penalty was increased. The Committee upstairs deliberated at great length on the subject, and it was generally of opinion that a clause of that character was somewhat too harsh. Overlying was regarded as usually an accidental occurrence, for

which no real blame could be attached to the parent. It was thought, that, although it might be desirable that parents should not take their infants to sleep in the same bed with them; they must face the conditions as they were and realise that great numbers did so. Personally he rather doubted whether it was necessary for this custom to continue. In Germany, which had a poorer population on the whole and a colder climate, overlying was regarded as an offence, and the result had been that within the last few years the deaths from this cause had almost disappeared; they had been reduced to the most minute proportions, and what was possible there ought not to be impossible here. However that might be, he felt it his duty to fall in with the generally expressed desire of the Committee. At the same time, hon. Members on the Committee felt that where it could be proved that the overlying was due to the drunkenness of the parents it was impossible for the law to close its eyes to the circumstances. There were some remarkable figures which indicated that these deaths added to the heavy toll taken by the drinking evil in this country. The Registrar-General's figures showed that the deaths from this cause were twice as numerous on Saturday nights as on other nights in the week. Further, the Medical Officer for the County of London had sent him some figures covering the period

1901-1907, showing that these deaths were 50 per cent. more frequent in weeks in which there were bank holidays than in other weeks, and the House could draw its own conclusions from that fact. The existing law permitted the parent to go home in a state of incapable intoxication, to lie on the infant and smother it to death, and in practice there was no means for imposing any penalty in such circumstances. In 1906, in England and Wales there were 1,453 inquests on infants suffocated, and only one verdict of manslaughter was returned by a coroner's jury. The present law was inadequate, because where it applied at all it was too harsh, and the juries would not permit persons to be tried for manslaughter on this charge, nor would the juries in the Assize Courts condemn them. It was the wish of the Government to impose a new penalty of a lighter kind, and that was the purpose for which he now begged to move.

#### New clause—

"Where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air-passages of the infant) whilst the infant was in bed with some other person over sixteen years of age, and that that other person was at the time of going to bed under the influence of drink, that other person shall be deemed to have neglected the infant in a manner likely to cause injury to its health within the meaning of this part of this Act."—  
(*Mr. Herbert Samuel.*)

Brought up, and read a first time.

Motion made, and Question proposed,  
"That the clause be read a second time."

MR. AKERS-DOUGLAS (Kent, St. Augustine's) said that, as the Under-Secretary had stated, they had had very considerable discussion on this question in Grand Committee, and he was one of those who thought the clause as originally drafted contained a very great hardship on the poorer classes, and he added his voice and influence in favour of the reduction of the penalty which the original Bill proposed. He thought the hon. Gentleman, after discussion upstairs, promised to meet them on the point, and he thought those who were on the Grand Committee practically agreed to

*Mr. Herbert Samuel.*

accept a clause providing that it should be limited, as this was limited, who took their children to them and overlay them while under the influence of drink. Whether the clause in working ought to be limited to habitual drinkers or to a mother under the influence of drink was a question. He considered the clause proposed by the Under-Secretary was a great improvement on the clause originally introduced. For those reasons he should support the clause.

MR. BOWLES (Lambeth, S.W.) said that, as he understood the clause, it was an offence at which this clause should only be dealt with under the present law on a charge of manslaughter. He thought the necessity for this clause was very properly recognized, as the juries were very properly reluctant to convict upon so serious a charge in such cases. There might, however, be instances which were clearly manslaughter and nothing else. It was very important that they should clearly understand whether it was competent if this Bill passed to convict guilty persons for manslaughter, or whether the present law would remain, but the new clause would, to a great extent, supersede it. It seemed to them they might be running the risk of a possible punishment for even an offence as manslaughter to be dealt with by a lighter punishment suggested by the clause.

MR. H. J. TENNANT (Barnes) pointed out that if a person committed an indictable offence it would be possible to proceed against him or her under ordinary law even if this clause was not passed.

SIR F. BANBURY drew attention to the latter portion of the clause which contained the words "to its health within the meaning of this part of the Act." "this part of the Act" were to be read with and applied to the clause. He thought the fear of the hon. friend the Member for Barnet was groundless. He desired to make a few remarks upon the clause. His right hon. friend had told



that there was a general consensus of opinion on the Grand Committee in favour of making the overlying of children whilst under the influence of drink a crime, but it should not be overlooked that a great majority of these cases were accidental. It could not be alleged that overlying was done purposely. To bring a woman who had caused the death of her child in this way into Court in order to prove her innocence was a very harsh proceeding. He was glad that that proposal had been dropped and that the clause had been modified in the way suggested by the Under-Secretary. Who was going to prove that a person was under the influence of drink at the time of going to bed? In the case of an habitual drunkard what was now proposed might be a reasonable provision which could be enforced, but personally he objected to all this kind of legislation if it could not be enforced. No good object could be gained by bringing in a large quantity of Bills, and going to the country and asking the electors to look at the number of Bills the Government had passed. They wanted measures which could be put into force when passed. This was a proposal which they could not enforce. How could they prove that a parent was under the influence of drink at the moment of going to bed? People did not remain under the influence of drink forever, and the length of time a person could be considered under the influence of drink depended very largely upon his state of health and upon the quantity of drink he had consumed. Some people who might be said to be under the influence of drink might be all right after an hour's sleep. Take, for example, the case of a woman who took three glasses of beer and went to bed at ten o'clock. She might overlie her child in the following morning, and how were they going to prove that she was under the influence of drink at the time the offence was committed? This proposal would undoubtedly inflict a very great hardship upon the working classes. He could understand such a proposal being applied to habitual drunkards. There were very few people indeed in this world who had not been slightly under the influence of drink once in their lives. [Cries of "Oh, oh!"] Simply because an un-

fortunate woman for once in a way took a little too much to drink and to her great sorrow and regret smothered her child she was to be haled before a Court of law, and rendered herself liable to three months' imprisonment with hard labour. She rendered herself liable to be brought before a Court of law upon a charge of having wilfully taken the life of her offspring owing to being in an inebriated state. He was rather sorry that his right hon. friend below him had committed himself to the clause. He agreed that the proposal now under discussion was better than the original clause, but he nevertheless hoped that the Government would not insist upon its being adopted, because it would inflict a great hardship upon innocent people. There might be cases where this kind of thing was deliberately done, and three months' hard labour was not severe enough. The ordinary law should be allowed to take its course. It had been said that the ordinary law would take its course, but the fact should not be overlooked that the tendency of the jury would be to inflict punishment under this clause and not under the ordinary law. He hoped the Government would not press the point.

MR. BRAMSDON (Portsmouth) said that some time ago he brought in a Bill dealing with this subject on behalf of the National Society for the Prevention of Cruelty to Children, the Coroners' Society, and the British Medical Association. That Bill was brought forward on account of the large number of deaths which were continually occurring in connection with this question. He was a coroner himself, and had dealt with hundreds of these cases. Perhaps he would be allowed to say that from time to time he had felt very much grieved when these cases came before him, because he was unable to do anything to save the lives of those poor little children. The cause was a preventable one, and they ought to try and stop this kind of thing. He thought they would be able to stop it very largely by the adoption of this clause. Personally, he was sorry the larger measure would not be placed upon the Statute-book. He did not think the public would object to the passing of a clause which dealt

only with the case of children who died through the neglect of their parents whilst under the influence of drink. If a parent went to bed under the influence of drink and a child lost its life through overlaying, that parent ought to be called upon to answer for that offence. The hon. Member opposite had said: "Why don't you bring up a charge of manslaughter?" In a long experience extending over thirty years he had never heard of a conviction for manslaughter under those circumstances. It was very difficult to prove gross and culpable negligence, and he questioned whether any conviction in which that had been proved had taken place during his time. A measure of this kind would not prevent the charge of manslaughter being put forward where it could be shown to be a very serious case. If a child died in this way they could still prefer a charge that the child had undergone unnecessary suffering, and the parent could be proceeded against as having caused the child unnecessary suffering. It was not a small offence to cause the loss of the life of a child through carelessness and negligence on the part of the mother. With regard to the suggestion that the proposal should apply only to habitual drunkards, he did not think that even the hon. Baronet opposite, who was always very clever in his argument, would support that proposition. Everyone was aware that infant mortality was high enough as it was, and if by the passing of this measure they were able to confer a great benefit on infants they ought to pass it. He hoped it would bring about the saving of a great number of lives.

SIR HENRY KIMBER (Wandsworth) said that this was a clause which might fairly be inserted in the Bill, provided it did not save delinquents in serious cases from being proceeded against on the greater charge of manslaughter, to which, under the ordinary law, they were liable. Notwithstanding what the hon. Member for Portsmouth had just said in his interesting speech, he ventured to say that that charge could not be brought under this Bill. In Clause 14 and also in Clause 15, there was a very proper proviso that in the case of offences under those clauses the operation of the ordinary

*Mr. Bramsdon.*

laws by indictment should be avoided. If the Under-Secretary of the Home Department would be good enough to put a similar proviso at the end of the clause to save in serious cases of indictment for manslaughter or for murder, he thought the clause would be unobjectionable.

THE ATTORNEY-GENERAL (Mr. CHERRY, Lincoln) said the hon. Member's suggestion appeared to be unobjectionable with respect to the clause. He thought it would be in grave cases, to charge with manslaughter. He would say that under the Interpretation Act, 1889 it was definitely provided that any acts or omissions constituting an offence under a particular statute or under the ordinary law, it was to proceed in every case either under the statute or under the ordinary law provided that the offence could not be prosecuted by the same act. If a person was charged under a section, he or she might be proceeded against either under the section or under the ordinary law in a grave case, for manslaughter.

LORD R. CECIL indicated assent.

MR. CHERRY said the hon. Member shook his head, but he could not say that that was so. The hon. Member would consider the matter at a later stage and the subsequent stages would take place.

SIR HENRY KIMBER: I would like to know why is it necessary in Clause 14 to insert a special proviso?

MR. CHERRY said he would say that proviso when they came to it. He did not think it was necessary, but it would do no harm. The hon. Member would consider the matter at a later stage, and if he went to another place, and if he said to them that a proviso was necessary, they would deal with it. The great object of the new clause was that a charge might be proceeded against notwithstanding that the person might be summarily convicted. Jurors take the serious view that in the case of manslaughter, and the

very serious from one point of view, for offenders escaped punishment altogether. If they allowed this to be an offence which the magistrates could deal with summarily, they enabled slight penalties to be imposed, which would check the evil.

MR. CARLILE (Hertfordshire, St. Albans) said it appeared to him that the Under-Secretary in explaining this clause had shown that the provisions proposed to insert in the Bill were inadequate. The hon. Gentleman did not give any statistics to show what proportion of the 1,500 children whose lives were lost every year were lost as the result of intemperance. The hon. Gentleman was most destructive to his own clause in his reference to the deaths in Germany. Whereas in Germany these deaths were very numerous years ago, they had now almost disappeared. Did the hon. Gentleman think that this new clause, dealing as it did with drunkenness alone, was going materially to reduce the appalling number of fatalities of infants? Why did not the hon. Gentleman stick to his guns and retain in the Bill the clause which was in it when the measure was introduced? In the new clause they had very little prospect of the evil's disappearing—very little prospect indeed of its being affected at all, except in the case of those who were proved at the time of going to bed to be in a state of intoxication. They might be absolutely sober at the time of the overlying of the child. The drunkenness might have passed away, and the sleep following the drunkenness might be the absolute cause of the overlying. It seemed to him that the hon. Gentleman need hardly have troubled to move the new clause. It really was trifling with the whole matter. He deeply regretted that the hon. Gentleman had not seen his way to keep in the Bill the original clause which said—

"If any person causes the death of an infant under the age of three years by overlying it, that person shall on summary conviction be liable to a fine not exceeding ten pounds, or, if the Court is satisfied from the evidence that the person who caused the death was under the influence of drink at the time, to a fine not exceeding twenty-five pounds, or alternatively in default of payment of such fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding three months."

That appeared to him to be a clause which would have been likely to reduce the evil.

LORD R. CECIL said he did not think the Attorney-General for Ireland appreciated the point which had been raised with reference to the drafting of the clause. The point was that some hon. Members were afraid that the effect of the new clause would be to make it compulsory in all cases where an infant was suffocated, and the person causing the suffocation had gone to bed under the influence of drink, that the person should be convicted not of manslaughter, but of neglect of the child. It was merely a question of drafting, and not a question of the Interpretation Act at all. The new clause took away all other offences and made it the duty of the Court to convict of the offence described in the clause, and that alone. Had the right hon. and learned Gentleman and the Government draughtsman considered the clause from that point of view, and were they satisfied that that was not likely to be the effect of it? Why had not this offence been described as one of cruelty, as in certain other cases under Section 12? That was also a drafting point which he hoped the Government would consider.

MR. CHERRY did not think that any difficulty arose in this matter. The new clause could not in any way prevent a prosecution under any other Act, because neglect in itself was an element in manslaughter just as much as in the statutory offence created by this Act. The words in the new clause were "shall be deemed to have neglected the infant," and, for whatever purpose, neglect might be the material issue. He assured the noble Lord that the Government would have the point considered most carefully, and if any real difficulty was likely to arise they would in another place make any Amendment that might be necessary.

MR. JOYNSON-HICKS (Manchester, N.W.) said that the gravamen of the charge was that the person was under the influence of drink at the time at which the accident took place. But it was quite possible that the woman might have gone to bed at ten o'clock under

to do with the child, who might be accidentally overlaid by the wife later on, and yet the husband was to be made liable for the death of the child. It was a *reductio ad absurdum*, and unless these words were put in the case might happen. An hon. Member had said that there was some method by which the wife could arrange not to overlaid the child. He would take his word that it was so, but at the same time he thought that if it was, they should have heard of it before. It amounted to this, that if a husband came to bed the worse for drink and had nothing to do with the overlying at all, yet, unless the Government accepted this Amendment, he would be liable to be taken before the justices and convicted. He pressed the Government very strongly on this subject, although he had supported them by his silence as far as he could, as the most effective way of doing so. The intention of the Government, he took it, was simply to punish the people who went to bed the worse for drink and thereby caused injury to the child, and not by putting these words in to make the magistrates find contrary to the facts or judges to direct juries in a way in which no judge should have to direct them. They were making a great change by this Bill, and an hon. Member had pointed out in an eloquent speech the great difficulty he had found in getting juries to convict women under these circumstances. They were taking away from the women the safeguard of a jury which they enjoyed at the present time, and making them liable to be dealt with by the magistrates; therefore, it was more important that they should make it absolutely clear what the offence was, and that it should be put in black and white in the Bill that it was only the person who caused the death of a child who should be punished for it. The Court should find out whether it was the case that the death of the child was caused by a drunken person, but they were entitled to infer from this clause that the fact that a drunken person was in bed with a child which was suffocated caused its death, unless these words were inserted.

MR. CHERRY thought there would be a great deal in the remarks of the hon.

**Mr. Rawlinson.**

Gentleman if the effect of the clause was to make the offence manslaughter then one must prove that the cause of the child's death was negligence. That this clause provided, however, that the person who had caused the child to go to bed under the influence of drink should be deemed to have caused the child in a manner likely to be injurious to its health. That was not manslaughter and they did not introduce any amendments of manslaughter. His Lordship had pointed out that they had tried to cut down this offence, but they had failed to cut down the offence of manslaughter and if it could be proved that the drunkenness was the cause of the death then the offence of manslaughter would be charged. But they had failed to do something which would be necessary to cause injury to health, and it was a matter of fact whether a person was drunk to bed so as to neglect the child in such a manner. That was the effect of the clause which otherwise would be necessary, because they did not intend to punish a person who had caused or contrived the death of the child.

SIR F. BANBURY said that the Member for the Radcliffe Division in Lancashire contended that no jury would convict anybody because he went to bed drunk if there was another, who was sober, coming in when the child died. He would, however, draw the attention of the hon. Member to the remarks of the Attorney General for Ireland, who said that that was not what the Government was to punish. It was not who went to bed drunk, but a child died from that cause or not.

**MR. CHERRY:** Whether proved that the child dies from or not.

**SIR F. BANBURY** said whole of their point. The for Radcliffe said that a pers be punished for going to be he must see that that would of the clause which said—

" " Whilst the infant was in  
other person over sixteen years  
that other person was at the ti  
bed under the influence of dri



person shall be deemed to have neglected the infant in a manner likely to cause injury to its health."

Unless these words were inserted the mother might go to bed with the infant under the influence of drink; she might be sober at six or seven o'clock in the morning when the accident happened, or the husband might come to bed sober and by accident overlie the infant, but the effect of this would be that the mother would be liable to a penalty of three months' imprisonment, because when she went to bed she was slightly under the influence of drink, and nobody would have any alternative but to say that the jury should convict because the clause said that the other person must be deemed to have neglected the infant

in a manner likely to cause injury to its health. Therefore, if they could once prove that the mother went to bed under the influence of liquor at eight o'clock in the evening she would be deemed to be guilty of an offence at six or seven o'clock in the morning. He did not think that even this House of Commons would wish to make her punishable under those circumstances. He therefore hoped the Amendment would be pressed to a division, and that they would have the support of the hon. Member for the Radcliffe Division.

Question put.

The House divided :—Ayes, 45; Noes, 170. (Division List No. 242.)

#### AYES.

Ashley, W. W.  
Baldwin, Stanley  
Eggnold, Sir Arthur  
Bowles, G. Stewart  
Butcher, Samuel Henry  
Carlile, E. Hildred  
Caril, Lord R. (Marylebone, E.)  
Collings, Rt. Hn. J. (Birmingham)  
Craig, Charles Curtis (Antrim, S)  
Douglas, Rt. Hon. A. Akers-  
Duncan, Robert (Lanark, Govan)  
Fardell, Sir T. George  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Gardner, Ernest  
Guinness, Hn. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm)

Hamilton, Marquess of  
Hill, Sir Clement  
Houston, Robert Paterson  
Keswick, William  
Kimber, Sir Henry  
Law, Andrew Bonar (Dulwich)  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
Lupton, Arnold  
Marks, H. H. (Kent)  
Morgan, J. Lloyd (Carmarthen)  
Pease, Herbert Pike (Darlington)  
Randles, Sir John Scurrah  
Rawlinson, John Frederick Peel  
Ronaldshay, Earl of

Salter, Arthur Clavell  
Sandys, Lieut.-Col. Thos. Myles  
Scott, Sir S. (Marylebone, W.)  
Thornton, Percy M.  
Walrond, Hon. Lionel  
Warde, Col. C. E. (Kent, Mid)  
Wilson, A. Stanley (York, E. R.)  
Wolff, Gustav Wilhelm  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Younger, George

TELLERS FOR THE AYES—  
Mr. Joynson-Hicks and Sir  
Frederick Banbury.

#### NOES.

Abraham, William (Cork, N. E.)  
Ager-Robartes, Hon. T. C. R.  
Ambrose, Robert  
Atherley-Jones, L.  
Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barber, John  
Beauchamp, E.  
Bennett, E. N.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Boland, John  
Boulton, A. C. F.  
Bourman, C. W.  
Brier, William  
Branson, T. A.  
Brigg, John  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hn. Sydney Charles  
Byles, William Pollard  
Carr-Gomm, H. W.  
Carter, Rt. Hn. Richard Knight  
Channing, Sir Francis Allston

Cherry, Rt. Hon. R. R.  
Cleland, J. W.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W)  
Cooper, G. J.  
Corbett, CH (Sussex, E. Grinst'd)  
Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.  
Cowan, W. H.  
Cox, Harold  
Crooks, William  
Curran, Peter Francis  
Davies, Sir W. Howell (Bristol, S)  
Dickinson, W. H. (St. Pancras, N)  
Dobson, Thomas W.  
Duncan, C. (Barrow-in-Furness)  
Duncan, J. H. (York, Otley)  
Dunn, A. Edward (Camborne)  
Essex, R. W.  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Ferens, T. R.

Fiennes, Hon. Eustace  
Foster, Rt. Hon. Sir Walter  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gladstone, Rt. Hn. Herbert John  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Greenwood, G. (Peterborough)  
Gulland, John W.  
Harcourt, Rt. Hn. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardie, J. Keir (Merthyr Tydvil)  
Hardy, George A. (Suffolk)  
Harmsworth, Cecil B. (Worc'r.)  
Harmsworth, R. L. (Caithn'ss-sh)  
Haslam, James (Derbyshire)  
Haslam, Lewis (Monmouth)  
Hay, Hon. Claude George  
Henderson, Arthur (Durham)  
Henry, Charles S.  
Higham, John Sharp  
Hobhouse, Charles E. H.  
Hodge, John  
Holland, Sir William Henry

Hope, James Fitzalan (Sheffield)  
Hudson, Walter  
Idris, T. H. W.  
Jackson, R. S.  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Johnson, W. (Nuneaton)  
Jones, Sir D. Brynmor (Swansea)  
Jones, William (Carnarvonshire)  
Jowett, F. W.  
Kekewich, Sir George  
Kincaid-Smith, Captain  
Lamb, Edmund G. (Leominster)  
Lamb, Ernest H. (Rochester)  
Lambert, George  
Lea, Hugh Cecil (St. Pancras, E)  
Læse, Sir Joseph F (Accrington)  
Lever, A. Levy (Essex, Harwich)  
Lever, W. H. (Cheshire, Wirral)  
Lewis, John Herbert  
Lloyd-George, Rt. Hon. David  
Lough, Rt. Hon. Thomas  
Lyell, Charles Henry  
Macdonald, J. R. (Leicester)  
Macdonald, J. M. (Falkirk B'ghs)  
M'Laren, Sir C. B. (Leicester)  
M'Laren, H. D. (Stafford, W.)  
M'Micking, Major G.  
Mallet, Charles E.  
Marnham, F. J.  
Massie, J.  
Molteno, Percy Alport  
Montagu, Hon. E. S.

Murray, Capt. Hn A C. (Kincard)  
Myer, Horatio  
Napier, T. B.  
Nicholls, George  
Nicholson, Charles N. (Doncast'r)  
Nolan, Joseph  
Norton, Capt. Cecil William  
Nuttall, Harry  
O'Brien, Patrick (Kilkenny)  
O'Connor, John (Kildare, N.)  
O'Connor, T. P. (Liverpool)  
O'Malley, William  
Pearce, Robert (Staffs, Leek)  
Pearce, William (Limehouse)  
Radford, G. H.  
Raphael, Herbert H.  
Rea, Walter Russell (Scarboro')  
Rees, J. D.  
Richards, T. F. (Wolverh'mpt'n)  
Ridsdale, E. A.  
Roberts, Charles H. (Lincoln)  
Robertson, J. M. (Tyneside)  
Robson, Sir William Snowden  
Roch, Walter F. (Pembroke)  
Roe, Sir Thomas  
Rose, Charles Day  
Rowlands, J.  
Rutherford, V. H. (Brentford)  
Samuel, Herbert L. (Cleveland)  
Scarisbrick, T. T. L.  
Schwann, Sir C. E. (Manchester)  
Sherwell, Arthur James  
Smeaton, Donald Mackenzie

Snowden, P.  
Stanger, H. Y.  
Steadman, W. C.  
Stewart, Halley  
Stewart-Smith,  
Straus, B. S. (M)  
Summerbell, T.  
Talbot, Lord E.  
Talbot, Rt. Hn. J.  
Taylor, Theodor  
Tennant, H. J. ( )  
Thomas, Sir A. ( )  
Thorne, G. R. (W)  
Thorne, William  
Torrance, Sir A.  
Toulmin, George  
Verney, F. W.  
Ward, John (Sto)  
Waterlow, D. S.  
Weir, James Ga.  
White, J. D. (Du)  
Whitehead, Row  
Whitley, John H  
Whittaker, Rt H  
Wilson, P. W. (S)  
Wilson, W. T. (V)  
Wood, T. M'Kin  
Yoxall, James F

TELLERS FOR THE  
Joseph Pease  
Elibank.

\*MR. WALTER GUINNESS (Bury St. Edmunds) moved a new clause providing that in all cases where children were brought before a Court charged with an offence which rendered them liable to be sent to an industrial school, it should be the duty of the Court to give notice in writing to the parent or guardian of such child of the powers which might be exercised by the managers of the certified school in the event of a detention order being made in respect of such child. He had put this clause down at the request of the London County Council because it was apparent to those responsible for the administration of the Industrial Schools Act that there was a very great amount of ignorance among the parents as to the very stringent powers vested in the managers. The new clause was not quite in the form it was intended to be, but if the House agreed to the principle and gave it a Second Reading he proposed to move an Amendment to make it run as follows: "Where a child or young person is brought before a Court charged with an offence which renders it liable to be committed," etc. There were two classes of parents which this

new clause affected. There were parents who, though careless of their children, were not but who were quite willing to let the State to take the responsibility of their children in these schools, and it might sometimes happen that more than half of such parents was admitted to industrial schools, and it might sometimes happen by the parents having a knowledge of the excellent education given at these schools that it was better for their children to be educated there and taught trades than that the child should be educated in public elementary schools. There could be no doubt. There was a large number of parents who were too anxious to get their children into industrial schools. This year there were 10,000 children in which children were admitted to industrial schools under Section 16 of the Act, in which children were charged with being out of school and not receiving education at the industrial schools at about £21 per head, and it was desirable to prevent children from going to the schools unless it was necessary. The object of the clause was that the parent should be made aware of the real state of the law

should be made to realise that in sending his child to one of these schools he forfeited all control over him, and that the managers of the school were at liberty to apprentice the child or dispose of him by means of emigration without consulting the parent. There were neglectful parents who still had some affection for their children who would under those circumstances do their best to prevent their child being brought up to be sent to these schools. There was another class of parents who had a directly harmful influence on their children. It was often found that whilst children were in the schools their parents came down and interfered with them, and that frequently the managers had to send these children away to other schools, sometimes as far away as Manchester, in order to remove them from the influence of their parents. Then there was the tramp or criminal parent who regarded the education given as a valuable asset of which they were quite ready to take advantage when the child arrived at a wage-earning age. It frequently happened that when a child was apprenticed out its parents tramped down, sometimes as far as Wales, and told the child tales of hardships, or lured him away with a tale of higher wages to be obtained elsewhere. It was important that these parents should realise that they were liable to a fine or imprisonment if they interfered in any way with their children. He hoped the Government would accept the clause he now begged to move.

**MR. JOYNSON-HICKS** formally seconded.

New clause—

"Where a child or young person is charged or brought before a Court with the intention of being committed to a certified school it shall be the duty of the Court to give notice in writing to the parent or guardian of such child or young person of the powers which may be exercised by the managers of the certified school in the event of a detention order being made in respect of such child or young person."—(*Mr. Guinness.*)

Brought up, and read a first time.

Question proposed, "That the clause be read a second time."

**MR. HERBERT SAMUEL** pointed out that the object of this new clause

was that the parents of children brought before a Court should have information as to what the control by the managers of certified schools meant. The hon. Member had quoted one class of case which he himself did not think was quite relevant. That case was of the parent who wished to get his son into an industrial school, and who knew too much rather than too little, and who was only too eager to obtain the advantage given at the cost of the State. That was a case which need not be taken into consideration. But there was the case of parents who, under Clause 16 of the old Act and the corresponding clause of this Bill, brought their children before a Court in order to get them into these schools, but who, he thought, did not always fully realise what they were doing. They thought their child would be punished by being sent to a school for a time, and then they could get him again when they pleased, and were not to be deprived of his services as a wage-earner till, perhaps, the age of sixteen. That was certainly a case which ought to be met. Then there was the drunken parent who had not understood that the child had been taken from his control, and who came down to the school and sought to entice the child away. In that case, also, something might be done, but not on these lines. The clause, as it appeared on the Paper or as it was proposed to be amended by the hon. Member, was not workable. No child ever came before a Court with the intention of being committed to a certified school. The intention might be in the mind of the Court or the persons bringing the child, but it was impossible to say what course was to be taken until all the evidence was before the Court and the inquiry had taken place. They would have to make inquiry in order to see whether it was a suitable case in which to send the child to an industrial school. The hon. Member proposed by his clause that whenever a child was charged before the Court, if it was an offence rendering him liable to be sent to an industrial or reformatory school, notice should be sent to the parent. But that would cover any charge, as, for instance, the riding a bicycle on the footpath; but if a boy below the age of sixteen were charged with that offence, no one would

dream of sending him to an industrial school, although technically he might legally be sent. It would be absurd to send a long-winded notice to the parent and terrify him by saying that if the boy was sent to a reformatory or industrial school he would be kept there possibly until the age of sixteen, and afterwards be under the supervision of the managers. The last time he was a spectator in a Court of Summary Jurisdiction, a boy, a perfectly respectable telegraph boy, was charged with the not very grave offence of kicking a football in the street, and fined half-a-crown. It would be absurd in such a case if, as soon as a charge was made against a boy in such circumstances, his parents were to be served with such a formidable notice. He thought the House would recognise that the proposal was not practicable. Only 3,000 children were committed to reformatory schools every year. Out of the tens of thousands charged, there was only a small proportion for whom this clause was really necessary. He suggested to the House the acceptance of an Amendment which he was very ready to put down to Clause 59, which said that where a child was brought by his parent before the Court as being uncontrollable, and it was desired that he should be sent to an industrial school, the Court, if satisfied on inquiry that it was in the interests of the child, might order him to be sent to an industrial school. He thought words could be inserted making it clear that it should be fully explained to the parent, before action was taken, what it really meant for him and his child if the latter were sent to an industrial school. Secondly, in regard to the case of children who had been sent to an industrial or reformatory school, what steps should be taken to inform the parents as to the extent to which their position was abrogated? He did not think that was a duty which ought to fall on the Court. The Courts of Summary Jurisdiction were bodies kept busily engaged, and it was rather an unnecessary burden to impose upon them to require that they should send in every case a notice to this effect. He thought that it should be the duty of the managers, or possibly of the local authorities, in cases where children were committed to the schools. The Home Office would

consider, in consultation per local authorities, the best form that might be drafted and used throughout the country for and take steps to provide that should be supplied to the local and local managers of schools and desire to use it. The clause on the Paper, was really not and he thought the course on the whole was the better.

MR. WALTER GUINNE  
 explanation of the hon. Gent.  
 leave to withdraw the Motion.

Motion, by leave, withdrawn.

MR. WEDGWOOD (New Lyme) moved a new clause providing that if any person gave, or caused to be given, to any child under five, any intoxicating liquor upon the order of a medical practitioner, or in illness or other urgent case, on summary conviction, a fine not exceeding £3. He said a similar Amendment in 1891 and it had been lost by one perhaps because he had not made the case as strongly as he could now do. The objection was that the former Amendment in Committee there might be some poor woman who would give a child in a case of sickness measles, and might thereby be self liable to be fined. He thought the weight of that objection was met if it had amended the clause in the addition of the words "in case of sickness." He met the whole of the objection which had been raised before the Committee. Another point which was raised was that it would be difficult to obtain evidence of cases where it was given to children, and consequently be very difficult to obtain convictions. That, of course, was a very strong objection to the clause in general he should be extra careful to see that any legislation was capable of easy application; but he thought there were exceptions to be made in general rule, and these ex-

*Mr. Herbert Samuel,*



particularly applicable in cases of cruelty to children. If hon. Members looked at the Bill they would find that throughout it there were cases where it would be difficult to obtain evidence and to secure convictions. That was part of the difficulty of dealing with cases of cruelty to children. For instance, there was the question of mental and moral damage to children made punishable under the Bill. In all these cases, dealing with children, there were bound to be cases when the greatest difficulty would be found in obtaining evidence and getting convictions. Besides, there were three important considerations to be taken into account relating to this particular clause. In the first place, the law and public opinion, as Mr. Albert Brassey had pointed out, were constantly acting and counteracting upon each other. No doubt public opinion now recognised that it was a bad thing to give alcohol to little children, and educated public opinion had caused the bringing forward of this clause. If the clause were passed into law, then the law itself would counteract again upon uneducated public opinion, and it would lead, not so much to prosecution, as to a more educated and more progressive form of public opinion. Another very important consideration should, too, modify the condemnation of the clause on the ground that it was difficult to obtain evidence. In ninety-nine cases out of a hundred it would not be necessary to bring cases before the police court at all. Police court proceedings would not be in the least necessary. The clause, if passed into law, would strengthen the hands of all sorts of different people who visited homes where children were given drink, and who were at present unable, he would not say to enforce their views, but to back them up even with arguments which carried weight. The National Society for the Prevention of Cruelty to Children and district visitors, people who were so constantly increasing the sphere of their activity, would have their hands strengthened by the knowledge that the practice of giving gin to children to keep them quiet, and of giving sups of beer out of a sort of genial good-nature, was forbidden by law, and not merely discouraged or forbidden by the best medical evidence in the

country. The fact of their being able to say that would strengthen their hands in the right direction. The third reason which seemed to him to carry some weight, and made the difficulty of obtaining evidence of minor importance, was that there were plenty of cases where even now the National Society for the Prevention of Cruelty to Children managed to get convictions, where children were given alcohol, but they had to do it in a roundabout way, and the decision depended on what views the magistrates might take of doubtful interpretations. They had to consider, in the first place, the bench before which the case would be brought, and they had also to work up side issues and get evidence upon them, instead of upon the direct question whether drink had been given to a child. There were plenty of cases where the Society had managed to save children from alcohol, but in every case by indirect methods. It was obviously bad legislation when one had to attain one's end by roundabout methods. If it had been done until now in a roundabout way, it was an improvement on the existing state of the law to make it direct and simple and easily understood by parents, by the National Society, and by the benches of magistrates. There was a genuine need for preventing the giving of alcohol to little children, and there would, he thought, be few people found to deny that medical opinion was unanimous on the question that alcohol could only be required for little children in cases of severe burns. But however that might be, there was no necessity to bring before the police court any parent who gave alcohol to children under the erroneous supposition that it was good for their health in cases of sickness. It was bad for a child's health to have alcohol given to it. There had been cases in which children had been actually killed by being given alcohol. That sort of thing should not be permitted. It was bad for the health of the children; it might cause the death of children; and in addition children were initiated at a ridiculously early age into habits which might cause the utter ruin of their lives. He begged the Under-Secretary for the Home Office to give his support, as he had done in Committee, to the clause.

MR. SUMMERBELL (Sunderland), in seconding the Motion, said the House was anxious to protect children from being sent to public-houses to procure drink, and this clause sought to prevent parents or others from giving children drink. To his mind the latter evil was greater than the former. He had seen parents giving children drink in public-houses, and he had always felt that he would like to thrash such parents, but had refrained, of course, as that would have been taking the law into his own hands. It might be argued that there would be difficulty in getting a case against the parent. He cared not whether there was a case or not. He wanted the clause put in in order to be an intimation to parents that if they persisted in doing this they would be brought within the meshes of the law. He thought it would have a good moral effect, and from that point of view he was prepared to support the clause. An exception was made if the child was ill, and the advice of a doctor was taken. Every Member of the House, whether a temperance reformer or not, was bound to admit that strong drink would have a detrimental effect upon the health of the child. Inasmuch as the age was only five years he hoped the Under-Secretary would, at all events, agree to some modification along the lines of the clause. He supported it, on moral grounds alone, as an intimation to parents that if they would persist in doing this thing they could be prosecuted.

**New clause—**

"If any person give, or cause to be given, to any child under the age of five any intoxicating liquor, except upon the order of a fully-qualified medical practitioner or in case of sickness or other urgent case, he shall, on summary conviction, be liable to a fine not exceeding three pounds."—(*Mr. Wedgwood.*)

Brought up, and read a first time.

Question proposed, "That the clause be read a second time."

\*MR. REES (Montgomery Boroughs) hoped the Under-Secretary would pause before he added another crime to the over-burdened Statute-book. He sympathised entirely with what his hon. friend had said as to the culpable

character of giving liquor of tation to small children, but be something in the intent were being multiplied rega tention. When Lord Maca he believed held in great h cularly on that side of the called upon to put together in the definition of almost ev began by saying "whoever c Here they had abolished in tention had nothing wha with the offence. The clau children under the age of recently he had seen, with ex a parent put a glass of wine a child at a wedding when the bride and bridegroom drunk. He thought it extre and excessively foolish, bu no intention of committing Yet under this clause the p have been found guilty. was to judge whether the c of sickness? He rememb in a remote part of Wales country doctor was brought a small child who exhibite of an extremely commor The doctor evidently did no was the matter with the chil "Try whisky." That he i ignorance, but a mother w doctor give advice like that wards, in perfect good faith, whisky to a child in a case wh no real sickness, and withou tion of doing any harm to th breaking the law. Section thought, a terrible and clause in the case of poor unhappy mother who could servants or anybody to loc children, and had to do ev herself and earn her living, w an offence if the child burn if in good faith she gave it offences were multiplied in parent's life would become happy one, and affectionat meaning, but unwise, mothers might find themselves in jail

LORD R. CECIL earned the Government would not clause. He could not thin Member had considered the of the clause when he mov

hon. Member who had just spoken had alluded to several cases which it would be perfectly monstrous to treat as criminal. The mover and seconder had pointed out with great candour that the clause would not be effective, but it appeared to him that it was objectionable on several other grounds. What possible ground was there for saying it was a criminal offence to give a child intoxicating liquor when it was four years and eleven months, but not when it was five years and one month. The thing was an absurdity. If there was anything in the theory that intoxicating liquor was always necessarily a poison to all children under five, it was equally true of children under seven, and, indeed, of children probably much older. There was no medical support for the opinion that five was the age which finally settled the question whether or not alcohol was poison to human beings. It was not very long ago since medical opinion was very different on this point. It was only a few years ago that it was quite common for weakly children, when there was no question of sickness, to receive regularly as a medicine or a tonic, or an article of food, some form of alcohol. If that was a perfectly legitimate medical opinion a few years ago, it was an outrage that now the House of Commons should turn round and say it was a criminal offence. Under Clause 12 there was a very comprehensive enactment indeed. Negligence which caused unnecessary suffering or injury to a child's health was a criminal offence already, and if it could be proved that giving alcohol to a child was under the circumstances likely to be an injury to its health, it was already a criminal offence. Why should they go on and select this particular form of injudicious treatment of children and make it an additional offence? He could conceive no reason except the rather unreasoning hatred of alcohol which prevailed in the minds of some hon. Members opposite. Whatever might be the true view as to alcohol it would be a matter of the greatest possible regret if hon. Members insisted on making the Bill a vehicle for their particular fads on one particular question. He hoped the Government would not

accept the Motion, and that if they did the House would reject it.

Mr. MACLEAN (Bath) said the number of children who were made drunk in this country was enormous. It was perfectly true that under a certain clause in the Bill, if it could be proved that anything given to the child was causing or was likely to cause injury, the parents could be punished, but it would have to be proved that the child was drunk before a conviction could be obtained. He could give a case in which an officer of the Children's Protection Society went to a house near Dublin, and in a room found two children, one five and the other three, both drunk. How had they been made drunk? By their father and mother, who wanted to keep them quiet while they went out. He had another case in which a father took his child, aged four, to a fair, where it was given such a large number of sips of whisky that it was seized with convulsions and died, the coroner's verdict being "Alcoholic poisoning given by mistake." He would like to raise the age not to five but to ten. He had a third case, where a tiny girl of seven was taken, perfectly innocently, by a friend of the family to a public-house. She was afterwards found in a bye-lane near the village, struggling along with her hands upraised, saying: "I am drunk! I am drunk!" These were not stories, they were facts. If small doses of laudanum were given to children, what an outcry there would be. Yet the effects were the same. It was time the House of Commons advanced along with medical opinion. Sir William Broadbent had said—

"Children should never know the taste of any alcoholic drink, and stimulants ought to be absolutely forbidden during school life."

Sir Thomas Barlow, who gave evidence before the Select Committee on Physical Deterioration, said—

"It is immensely difficult to give statistics, but it is easy to give illustrations. In a boy, aged about ten, whom I had under my observation for several weeks, there was well marked evidence of gin drinker's liver and abdominal dropsy."

He had for a long time carried to his father, who was a cabman, his daily meal, of which some spirit was one of the constituents. The cabman had given

the boy little sips of spirit, and he had got to like it. This was an immensely important thing for the assets of the State, the children of the country. Those who were opposing the clause were doing so from very proper motives, and he believed they were quite as kind-hearted and sympathetic as himself towards children, but they were woefully mistaken in their opposition to anything which interfered with the liberty of the subject. There were two subjects, and the child was as much entitled to protection as the richest citizen. He knew these things went on. He thought they ought to give child life a chance of living free from poison, at any rate, up to the age of five years.

\*MR. STUART WORTLEY said the hon. Member opposite appeared to him to have proved too much. He wished to point out that in all the cases cited by the hon. Member they could get a conviction under Clause 12. For purposes, therefore, of present debate they were considering only those cases where the administration of drink had not produced and was not likely to produce any ill effects. As regarded all the other cases where actual harm had been, or was likely to be produced, they would undoubtedly weaken the Bill by this clause. The Court would turn to this clause, and say it was evident that there was no intention of convicting under Clause 12, because here was a special clause dealing with the administering of drink. He hoped the House would pause before adopting such a clause as this. He wished to remind the House that Clause 12 applied not merely to cases of injury to health actually caused, but also to any act done which was likely to do such injury.

MR. JOHN WARD (Stoke-on-Trent) suggested that the clause should not be pressed. He made the suggestion more particularly on account of the speech which had been made by the hon. Member for Bath. The hon. Member had used as illustrations cases where definite injury to the children was proved, and he was sure there was not a single hon. Member of the House who was not prepared to strengthen the law in

any direction which ex-  
shown to be necessary for  
of punishing parents who  
the health of their children.  
He did not agree that a  
principle of the new clause  
very drastic indeed. It pr

"If any person give, or cau-  
to any child under the age of five  
ing liquor, except upon the o-  
qualified medical practitioner  
sickness or other urgent cause  
summary conviction, be liable  
exceeding three pounds."

Who was going to prove  
cause, and who was a better  
the parent as to whether a law  
was required? The suggestion  
forward was unwise, and  
some of the best and kindest  
in the world. Under no  
would he give a vote for it.  
He could quite understand  
health suffered through  
alcohol, they ought to be  
not only the parents, but  
who suggested the admission  
alcohol; but the idea that  
mother should be subjected  
punishment suggested in  
because she had given  
drop of stimulant to her  
absurd. Many of the best  
were considered most terrible  
did this. To contend that  
person dropped three drops  
into a teaspoon and administered  
a child he was to be fined  
most outrageous suggestion  
"No, no." That was the  
the words "Except upon  
a fully qualified medical  
or in case of sickness." He  
going to prove that? The  
mother would be able to  
child was sick, and there  
proof of sickness. All that  
took her child to the public  
have to do was to declare  
given her child intoxicating  
she believed it was sick,  
would escape from the wrath  
of the clause. He quite  
the object which the mover  
had in view, and they were  
to do all they could to  
life. In his opinion this  
not secure the object aimed

*Mr. Maclean.*



MR. GULLAND (Dumfries Burghs) contended that the case to which the hon. Member for Stoke-on-Trent had alluded would be amply safeguarded, and such cases as he had quoted would be quite outside the purview of the Bill. The giving of alcohol to children under five years of age was doing an immense injury by vitiating the taste of the child in after life. He agreed that the limit of five years was too low, and the mover of the Amendment was very moderate in putting it at that age. Five years was the school age for infants, and that was the reason this limit had been fixed upon. Hon. Members opposite had spoken as if everybody who had children were good parents, and as if all mothers were kind to their children. Later on they would come to the case of infant life protection, where they would find that children were under the care of many other people besides parents who were not always too anxious that the children in their charge should be well brought up. It was to protect the children against this particular class of people that a clause of this kind was necessary. The giving of alcohol to young children generally arose from ignorance and stupidity, and the intention was frequently to silence the child and enable it to sleep in a dosed condition in order that the parent might go out of the house for hours. That was not a right thing for anybody to do, and he thought they ought to bring to the notice of such people the knowledge that if they did that kind of thing they would be punished for it. He could not agree that this clause would do any harm to any well-intentioned parent. In this case their aim was to protect the interests of the children, and for that reason he thought this clause was necessary.

MR. LUPTON thought that this attempt to make a short cut to improve society would, in the long run, prove to be the longest way round. He considered that this was a piece of grandmotherly legislation. What was the use of the parent, the schoolmaster, and the parson, if the policeman was to be called upon to do all this kind of work? It seemed to him that

the proposal would not accomplish the object they had in view. Within the lifetime of people now living a large number of persons had taught that alcohol was not in itself harmful, and in Spain and other countries they frequently gave children beer in order to make them strong. Temperance advocates had, however, succeeded in greatly advancing public opinion, and they were now proposing to cause a revulsion of feeling by proposing to make it an offence to give a child plum pudding with a little brandy sauce. This was a monstrous clause. It would be considered an offence at a wedding when drinking a toast to allow a child to drink a glass of wine. The mistake was having any wine at all upon such occasions. Even in the House of Commons hon. Members took wine, and until public opinion excluded wine from all these functions they ought not to make it an offence to administer intoxicating liquor to children in this way. He looked upon this proposal as an example of legislation gone mad.

MR. AKERS-DOUGLAS trusted the Under-Secretary would not agree to this clause. The hon. Gentleman in the speech he made upon the introduction of the Bill admitted that it did not go as far as many people desired on both sides of the House. He further stated that it was largely a consolidation Bill intended to pass by general consent. If the Government accepted clauses of this kind he thought they would find that the passage of their measure would be attended with considerable difficulty. He did not think that any of the arguments addressed to them by hon. Gentlemen on the other side of the House had proved that this clause was necessary. The hon. Member for Bath had quoted the opinion of an eminent doctor to show that it was undesirable to give alcohol to children. But why prevent a child having it at four years and eleven months, and not at five, six, or seven years? If they were afraid of giving alcohol to children at that age on account of the tendency it might have to make them drunkards in after life, surely they ought not to stop at five years of age. He thought that so far as regarded any good the change they would

get all the good under the existing Clause 12. The hon. Member for Dumfries, who took great interest in these matters and had given a great deal of assistance in the Grand Committee upstairs, had protested against any idea being held that these words were aimed against a particular class of intoxicating liquors. If they were going to prevent the giving to children of intoxicating liquors because they were sometimes going to keep a child from crying, why not prevent the giving of other narcotics which were advertised under the name of patent medicines? If the hon. Gentleman succeeded in carrying the Second Reading of this clause, it would be their duty to move many Amendments of that character in order that the effect of the clause might be properly carried out, and in order that all narcotics might be forbidden to children. He thought they should all stand in the same category. If a child had been out in the wet and came in drenched, and if the parent put a few drops of alcohol into its hot water or hot milk, believing that it was a good thing to prevent sickness, there was nothing in the clause to prevent the parent under those circumstances from undergoing the penalty laid down by the clause. In that case the alcohol was only used as a preventive. He appealed to the right hon. Gentleman in charge of the Bill not to accept this clause, which, if accepted, must lead to considerable discussion after it had passed the Second Reading.

\*MR. HERBERT SAMUEL said he did not conceal his view that this question was one of the most difficult to decide that had arisen in the discussions on the Bill. There was no doubt an evil now prevalent in the abuse of alcohol in this connection. There could be no question that the constant giving of sips of alcohol to infants must affect their physique, and must in course of time be likely to give them a trained taste for that liquor. He did not think it was possible to deal with the case by means of the clause in this Bill which repeated the existing law in regard to cruelty to children. They had to prove that the parent had wilfully ill-treated the child. No one had more experience in this matter than the hon. Member for Bath, and he had told them that a

Court of law would not convict under this section unless the child had been made intoxicated by alcohol administered. This matter was discussed in Committee, and after full consideration the clause proposed by the hon. Member for Newcastle-under-Lyme was carried but by only one vote. It was not so much because the hon. Member had omitted to provide for cases of sickness, but because many hon. Members thought that they ought to be put on the Statute-book as they were not able fully to deal with every case. There was no doubt the difficulty in enforcing a clause of this kind would be very great. In private houses and public places no one might be able to enforce the law. The homes of the people he did not think would be able to deal with more than fifty that occurred. The hon. Member spoke of inspectors dropping in to find out what was being done, and of guardians of children who might give alcohol to children when inspected. It was urged in the Committee that it was most undesirable to place on the Statute-book clauses which were likely to become to some extent a dead letter. He gave weight to that consideration, which was a real and a serious one. The considerations on either side were fairly balanced, but on the whole he himself had liked to see a clause of this character in the Bill. He would strengthen the Bill as far as possible, and make it as more useful. This matter was a matter of principle for the House of Commons to decide, rather than for the Government to press upon the House one way or the other. This Bill was more important than, a Government might think, a House of Commons Bill. It was a measure in which many hon. Members on both sides of the House had taken the greatest interest, and the perfecting of which they had stinted aid. He had to remind the right hon. Gentleman of what he said, namely, that in his view the clause were put into the Bill would lead to prolonged discussion. Time was running on very fast, and he hoped hon. Members would have consideration in mind. The Government would leave the matter open.

*Mr. Akers-Douglas.*

House. It was really a matter which the House should decide for itself. For his own part, feeling personally that the clause was a good one, but at the same time that it might imperil the passage of the Bill and arouse further opposition, on a careful balance of the many conflicting

considerations, he would feel himself compelled to vote against the clause.

Question put.

The House divided:—Ayes, 123; Noes, 103. (Division List No. 243.)

### AYES.

Abraham, William (Cork, N.E.)  
 Acland, Francis Dyke  
 Apr. Robertes, Hon. T. C. R.  
 Allen, A. Acland (Christchurch)  
 Ambrose, Robert  
 Ashbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Bennett, E. N.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Black, Arthur W.  
 Boland, John  
 Boulton, A. C. F.  
 Beverman, C. W.  
 Brace, William  
 Brimston, T. A.  
 Bryg, John  
 Buchanan, Thomas Ryburn  
 But, Rt. Hon. Thomas  
 Canning, Sir Francis Allston  
 Churchill, Rt. Hon. Winston S.  
 Cough, William  
 Collins, Stephen (Lambeth)  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Curren, Peter Francis  
 Davies, Sir W. Howell (Bristol, S.)  
 Deane, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Evans, Sir Samuel T.  
 Evans, T. R.  
 Fennell, Hon. Eustace  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fullerton, Hugh  
 Geo-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Gubbard, Sir Daniel Ford

Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Haslam, Lewis (Monmouth)  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Higham, John Sharp  
 Hodge, John  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Hudson, Walter  
 Idris, T. H. W.  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kekewich, Sir George  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Leese, Sir Joseph F. (Accrington)  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Maddison, Frederick  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Money, L. G. Chiozza  
 Morgan, J. Lloyd (Carmarthen)  
 Nicholson, Charles N. (Doncast'r)  
 Nuttall, Harry  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Ponsonby, Arthur A. W. H.  
 Radford, G. H.

Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Redmond, William (Clare)  
 Richards, T. F. (Wolverhampton)  
 Roberts, Charles H. (Lincoln)  
 Robertson, J. M. (Tyneside)  
 Roe, Sir Thomas  
 Rutherford, V. H. (Brentford)  
 Samuel, S. M. (Whitechapel)  
 Scarsbrick, T. T. L.  
 Schwann, Sir C. E. (Manchester)  
 Sears, J. E.  
 Sherwell, Arthur James  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Stanger, H. Y.  
 Steadman, W. C.  
 Straus, B. S. (Mile End)  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Verney, F. W.  
 Vivian, Henry  
 Walters, John Tudor  
 Wardle, George J.  
 Waterlow, D. S.  
 Weir, James Galloway  
 White, Luke (York, E.R.)  
 Wiles, Thomas  
 Wilson, P. W. (St. Pancras, S.)  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—  
 Mr. Wedgwood and Mr.  
 Summerbell.

### NOES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
 Armstrong, W. C. Henton  
 Ashby, W. W.  
 Asherley-Jones, L.  
 Balfour, Stanley  
 Balfour, Sir Frederick George  
 Barris, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Borne, G. Stewart  
 Brooks, Stepford  
 Butcher, Samuel Henry  
 Byss, William Pollard  
 Cadell, R. Hildred  
 Carr-Gomm, H. W.

Cave, George  
 Cecil, Lord J.  
 Cecil, Lord R.  
 Cherry, Rt. E.  
 Cleland, J. W.  
 Clynes, J. R.  
 Coates, Major  
 Cobbold, Feli  
 Cochrane, Ho  
 Collings, Rt. H.  
 Collins, Sir W.  
 Corbett, CH (I  
 Cotton, Sir H.  
 Craig, Charles  
 Douglas, Rt. J.

Hope, James Fitzalan (Sheffield)  
Hudson, Walter  
Idris, T. H. W.  
Jackson, R. S.  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Johnson, W. (Nuneaton)  
Jones, Sir D. Brynmor (Swansea)  
Jones, William (Carnarvonshire)  
Jowett, F. W.  
Kekewich, Sir George  
Kincaid-Smith, Captain  
Lamb, Edmund G. (Leominster)  
Lamb, Ernest H. (Rochester)  
Lambert, George  
Lea, Hugh Cecil (St. Pancras, E)  
Leese, Sir Joseph F (Accrington)  
Lever, A. Levy (Essex, Harwich)  
Lever, W. H. (Cheshire, Wirral)  
Lewis, John Herbert  
Lloyd-George, Rt. Hon. David  
Lough, Rt. Hon. Thomas  
Lyell, Charles Henry  
Macdonald, J. R. (Leicester)  
Macdonald, J. M. (Falkirk B'ghs)  
M'Laren, Sir C. B. (Leicester)  
M'Laren, H. D. (Stafford, W.)  
M'Micking, Major G.  
Mallet, Charles E.  
Marnham, F. J.  
Massie, J.  
Molteno, Percy Alport  
Montagu, Hon. E. S.

Murray, Capt. Hn A C. (Kincard)  
Myer, Horatio  
Napier, T. B.  
Nicholls, George  
Nicholson, Charles N. (Doncast'r)  
Nolan, Joseph  
Norton, Capt. Cecil William  
Nuttall, Harry  
O'Brien, Patrick (Kilkenny)  
O'Connor, John (Kildare, N.)  
O'Connor, T. P. (Liverpool)  
O'Malley, William  
Pearce, Robert (Staffs, Leek)  
Pearce, William (Limehouse)  
Radford, G. H.  
Raphael, Herbert H.  
Rea, Walter Russell (Scarboro')  
Rees, J. D.  
Richards, T. F. (Wolverh'mpt'n)  
Ridsdale, E. A.  
Roberts, Charles H. (Lincoln)  
Robertson, J. M. (Tyneside)  
Robson, Sir William Snowdon  
Roch, Walter F. (Pembroke)  
Roe, Sir Thomas  
Rose, Charles Day  
Rowlands, J.  
Rutherford, V. H. (Brentford)  
Samuel, Herbert L. (Cleveland)  
Scarisbrick, T. T. L.  
Schwann, Sir C. E. (Manchester)  
Sherwell, Arthur James  
Smeaton, Donald Mackenzie

Snowden, P.  
Stanger, H. Y.  
Steadman, W. C.  
Stewart, Halley (G)  
Stewart-Smith, D.  
Straus, B. S. (Mile)  
Summerbell, T.  
Talbot, Lord E. (C)  
Talbot, Rt. Hn. J. G.  
Taylor, Theodore C  
Tennant, H. J. (Be)  
Thomas, Sir A. (Gl)  
Thorne, G. R. (Wol)  
Thorne, William (V)  
Torrance, Sir A. M  
Toulmin, George  
Verney, F. W.  
Ward, John (Stoke)  
Waterlow, D. S.  
Weir, James Gallo  
White, J. D. (Dum)  
Whitehead, Rowla  
Whitley, John Hen  
Whittaker, Rt Hn S  
Wilson, P. W. (St.  
Wilson, W. T. (We  
Wood, T. M'Kinn  
Yoxall, James Her

TELLERS FOR THE  
Joseph Pease and  
Elibank.

\*MR. WALTER GUINNESS (Bury St. Edmunds) moved a new clause providing that in all cases where children were brought before a Court charged with an offence which rendered them liable to be sent to an industrial school, it should be the duty of the Court to give notice in writing to the parent or guardian of such child of the powers which might be exercised by the managers of the certified school in the event of a detention order being made in respect of such child. He had put this clause down at the request of the London County Council because it was apparent to those responsible for the administration of the Industrial Schools Act that there was a very great amount of ignorance among the parents as to the very stringent powers vested in the managers. The new clause was not quite in the form it was intended to be, but if the House agreed to the principle and gave it a Second Reading he proposed to move an Amendment to make it run as follows: "Where a child or young person is brought before a Court charged with an offence which renders it liable to be committed," etc. There were two classes of parents which this

new clause affected. There were parents who, though careless and ignorant of their children, were not negligent but who were quite willing to leave the State to take the responsibility of educating their children in these schools. It often happened that more than half of such parents was admitted to industrial schools, and it might sometimes be the case by the parents having a knowledge of the excellent education given at these schools that it was better for their children to be educated there and taught a trade than that the child should be educated in public elementary schools. Of course there could be no doubt. There was a large number of parents who were too anxious to get their children into industrial schools. This year there were 10,000 children in which children were admitted to industrial schools under Section 16 of the Act, in which children were charged on their parents with being out of compulsory education at the industrial schools at about £21 per head, and it was not desirable to prevent children from going to the schools unless it was absolutely necessary. The object of the clause was that the parent should be made responsible of the real state of the law;



should be made to realise that in sending his child to one of these schools he forfeited all control over him, and that the managers of the school were at liberty to apprentice the child or dispose of him by means of emigration without consulting the parent. There were neglectful parents who still had some affection for their children who would under those circumstances do their best to prevent their child being brought up to be sent to these schools. There was another class of parents who had a directly harmful influence on their children. It was often found that whilst children were in the schools their parents came down and interfered with them, and that frequently the managers had to send these children away to other schools, sometimes as far away as Manchester, in order to remove them from the influence of their parents. Then there was the tramp or criminal parent who regarded the education given as a valuable asset of which they were quite ready to take advantage when the child arrived at a wage-earning age. It frequently happened that when a child was apprenticed out its parents tramped down, sometimes as far as Wales, and told the child tales of hardships, or lured him away with a tale of higher wages to be obtained elsewhere. It was important that these parents should realise that they were liable to a fine or imprisonment if they interfered in any way with their children. He hoped the Government would accept the clause he now begged to move.

**MR. JOYNSON-HICKS** formally seconded.

New clause—

"Where a child or young person is charged or brought before a Court with the intention of being committed to a certified school it shall be the duty of the Court to give notice in writing to the parent or guardian of such child or young person of the powers which may be exercised by the managers of the certified school in the event of a detention order being made in respect of such child or young person."—(*Mr. Gwynne.*)

Brought up, and read a first time.

Question proposed, "That the clause be read a second time."

**MR. HERBERT SAMUEL** pointed out that the object of this new clause

was that the parents of children brought before a Court should have information as to what the control by the managers of certified schools meant. The hon. Member had quoted one class of case which he himself did not think was quite relevant. That case was of the parent who wished to get his son into an industrial school, and who knew too much rather than too little, and who was only too eager to obtain the advantage given at the cost of the State. That was a case which need not be taken into consideration. But there was the case of parents who, under Clause 16 of the old Act and the corresponding clause of this Bill, brought their children before a Court in order to get them into these schools, but who, he thought, did not always fully realise what they were doing. They thought their child would be punished by being sent to a school for a time, and then they could get him again when they pleased, and were not to be deprived of his services as a wage-earner till, perhaps, the age of sixteen. That was certainly a case which ought to be met. Then there was the drunken parent who had not understood that the child had been taken from his control, and who came down to the school and sought to entice the child away. In that case, also, something might be done, but not on these lines. The clause, as it appeared on the Paper or as it was proposed to be amended by the hon. Member, was not workable. No child ever came before a Court with the intention of being committed to a certified school. The intention might be in the mind of the Court or the persons bringing the child, but it was impossible to say what course was to be taken until all the evidence was before the Court and the inquiry had taken place. They would have to make inquiry in order to see whether it was a suitable case in which to send the child to an industrial school. The hon. Member proposed by his clause that whenever a child was charged before the Court, if it was an offence rendering him liable to be sent to an industrial or reformatory school, notice should be sent to the parent. But that would cover any charge, as, for instance, the riding a bicycle on the footpath; but if a boy below the age of sixteen were charged with that offence, no one would

dream of sending him to an industrial school, although technically he might legally be sent. It would be absurd to send a long-winded notice to the parent and terrify him by saying that if the boy was sent to a reformatory or industrial school he would be kept there possibly until the age of sixteen, and afterwards be under the supervision of the managers. The last time he was a spectator in a Court of Summary Jurisdiction, a boy, a perfectly respectable telegraph boy, was charged with the not very grave offence of kicking a football in the street, and fined half-a-crown. It would be absurd in such a case if, as soon as a charge was made against a boy in such circumstances, his parents were to be served with such a formidable notice. He thought the House would recognise that the proposal was not practicable. Only 3,000 children were committed to reformatory schools every year. Out of the tens of thousands charged, there was only a small proportion for whom this clause was really necessary. He suggested to the House the acceptance of an Amendment which he was very ready to put down to Clause 59, which said that where a child was brought by his parent before the Court as being uncontrollable, and it was desired that he should be sent to an industrial school, the Court, if satisfied on inquiry that it was in the interests of the child, might order him to be sent to an industrial school. He thought words could be inserted making it clear that it should be fully explained to the parent, before action was taken, what it really meant for him and his child if the latter were sent to an industrial school. Secondly, in regard to the case of children who had been sent to an industrial or reformatory school, what steps should be taken to inform the parents as to the extent to which their position was abrogated? He did not think that was a duty which ought to fall on the Court. The Courts of Summary Jurisdiction were bodies kept busily engaged, and it was rather an unnecessary burden to impose upon them to require that they should send in every case a notice to this effect. He thought that it should be the duty of the managers, or possibly of the local authorities, in cases where children were committed to the schools. The Home Office would

consider, in consultation perhaps with local authorities, the best form that might be drafted and used throughout the country for that purpose, and take steps to provide that should be supplied to the local and local managers of schools, if they desired to use it. The clause, as on the Paper, was really not so good, and he thought the course he had taken on the whole was the better one.

MR. WALTER GUINNESS  
 explanation of the hon. Gentleman's  
 leave to withdraw the Motion

Motion, by leave, withdrawn

MR. WEDGWOOD (Newcastle-on-Tyne) moved a new clause providing that if any person gave, or caused to be given, to any child under five, any intoxicating liquor, without the order of a fully qualified medical practitioner, or in case of sickness or other urgent cause, on summary conviction, be liable to a fine not exceeding £3. He moved a similar Amendment in Clause 59, and it had been lost by one vote, perhaps because he had not done the case as strongly as he ought to have done. The objection was taken to the former Amendment in Committee, that there might be some poor woman who would give alcohol to a child in a case of sickness, and might thereby be self liable to be fined. He thought the weight of that objection was met if it had amended the clause by the addition of the words "in case of sickness." He thought that met the whole of the objection which had been raised before the Committee. Another point which was raised was that it would be very difficult to obtain evidence of cases where alcohol was given to children, and that consequently there would be very few convictions. That, of course, was a very strong objection to legislation in general, but he should be extremely anxious to see that any legislation was capable of easy and effective application; but he thought there were exceptions to be made in the general rule, and these exceptions

*Mr. Herbert Samuel,*

but he thought the noble Lord might include a number of highly indigestible substances, a list of which might be given in a schedule to the Bill. He thought, however, he might begin with beef and mutton which grateful and comforting

to the adult stomach were poison to the little insides of children of tender years.

Question put.

The House divided :—Ayes, 62 ; Noes, 172. (Division List No. 244.)

### AYES.

Acland-Hood, Rt. Hon. Sir Alex F  
Ashley, W. W.  
Baldwin, Stanley  
Banbury, Sir Frederick George  
Barrie, H. T. (Londonderry, N.)  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bell, Sir William James  
Butcher, Samuel Henry  
Carlile, E. Hildred  
Cave, George  
Cecil, Lord John P. Joicey-  
Clynes, J. R.  
Cochrane, Hon. Thos. H. A. E.  
Collings, Rt. Hon. J. (Birmingham)  
Courthope, G. Loyd  
Craig, Charles Curtis (Antrim, S.)  
Curran, Peter Francis  
Douglas, Rt. Hon. A. Akers-  
Duncan, C. (Barrow-in-Furness)  
Fall, Arthur  
Fetherstonhaugh, Godfrey

Gardner, Ernest  
Glover, Thomas  
Guinness, Hon. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Hamilton, Marquess of  
Hardie, J. Keir (Merthyr Tydvil)  
Hay, Hon. Claude George  
Helmsley, Viscount  
Henderson, Arthur (Durham)  
Hill, Sir Clement  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Jowett, F. W.  
Joynson-Hicks, William  
Kimber, Sir Henry  
Lockwood, Rt. Hon. Lt.-Col. A. R.  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
MacCaw, William J. MacGeagh  
Macdonald, J. R. (Leicester)  
Magnus, Sir Philip  
Nield, Herbert

Parker, James (Halifax)  
Pease, Herbert Pike (Darlington)  
Randles, Sir John Scurrah  
Rawlinson, John Frederick Peel  
Rees, J. D.  
Ronaldshay, Earl of  
Salter, Arthur Clavell  
Sandys, Lieut.-Col. Thos. Myles  
Scott, Sir S. (Marylebone, W.)  
Talbot, Lord E. (Chichester)  
Talbot, Rt. Hon. J. G. (Oxf'd Univ)  
Tomkinson, James  
Walrond, Hon. Lionel  
Ward, John (Stoke-upon-Trent)  
Wolff, Gustav Wilhelm  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Younger, George

TELLERS FOR THE AYES—Lord  
Robert Cecil and Mr. Bowles.

### NOES.

Abraham, William (Cork, N.E.)  
Acland, Francis Dyke  
Agar-Robartes, Hon. T. C. R.  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Asbury, John Meir  
Atherley-Jones, L.  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Beauchamp, E.  
Bellairs, Carlyon  
Bennett, E. N.  
Bethell, Sir J. H. (Essex, Romf'd)  
Bethell, T. R. (Essex, Maldon)  
Black, Arthur W.  
Boland, John  
Bolton, A. C. F.  
Boverman, C. W.  
Brace, William  
Brampton, T. A.  
Bragg, John  
Brooke, Stopford  
Burbank, Thomas Ryburn  
Byles, William Pollard  
Carr-Gomm, H. W.  
Casson, Rt. Hon. Richard Knight  
Channing, Sir Francis Allston  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.  
Clarendon, J. W.  
Couch, William  
Cobb, Felix Thornley  
Collins, Stephen (Lambeth)  
Colman, Sir Wm. J. (S. Pancras, W.)  
Cotton, H. Sussex, E. Grinst'd

Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.  
Cowan, W. H.  
Cox, Harold  
Davies, Sir W. Howell (Bristol, S.)  
Dewar, Arthur (Edinburgh, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Duncan, J. H. (York, Otley)  
Duncan, Robert (Lanark, Govan)  
Dunn, A. Edward (Camborne)  
Edwards, Clement (Denbigh)  
Elibank, Master of  
Essex, R. W.  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Ferens, T. R.  
Fiennes, Hon. Eustace  
Fletcher, J. S.  
Foster, Rt. Hon. Sir Walter  
Freeman-Thomas, Freeman  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gladstone, Rt. Hon. Herbert John  
Glen-Coats, Sir T. (Renfrew, W.)  
Goddard, Sir Daniel Ford  
Greenwood, G. (Peterborough)  
Gulland, John W.  
Gurdon, Rt. Hon. Sir W. Brampton  
Harcourt, Rt. Hon. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardy, George A. (Suffolk)  
Harmsworth, Cecil B. (Worc'r)  
Harmsworth, R. L. (Caithn's-sh)  
Harvey, W. E. (Derbyshire, N.E.)  
Haslam, James (Derbyshire)  
Haslam, Lewis (Monmouth)

Hemmerde, Edward George  
Henderson, J. M. (Aberdeen, W.)  
Henry, Charles S.  
Higham, John Sharp  
Hodge, John  
Holland, Sir William Henry  
Hope, W. Bateman (Somerset, N.)  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Hudson, Walter  
Hyde, Clarendon  
Idris, T. H. W.  
Jackson, R. S.  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Johnson, W. (Nuneaton)  
Jones, William (Carnarvonshire)  
Kearley, Sir Hudson E.  
Kekewich, Sir George  
Kincaid-Smith, Captain  
Lamb, Ernest H. (Rochester)  
Lambert, George  
Leese, Sir Joseph F. (Accrington)  
Lever, A. Levy (Essex, Harwich)  
Lewis, John Herbert  
Lough, Rt. Hon. Thomas  
Lyell, Charles Henry  
Macdonald, J. M. (Falkirk B'ghs)  
Mackarness, Frederic C.  
M'Laren, Sir C. B. (Leicester)  
M'Laren, H. D. (Stafford, W.)  
M'Micking, Major G.  
Maddison, Frederick  
Mallet, Charles E.  
Marks, G. Croydon (Launceston)  
Marnham, F. J.  
Massie, J.

Molteno, Percy Alport  
 Morgan, J. Lloyd (Carmarthen)  
 Murray, Capt. Hn. A. C. (Kincard.  
 Myer, Horatio  
 Napier, T. B.  
 Nicholson, Charles N (Doncast'r  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Connor, John (Kildare, N.)  
 O'Malley, William  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pease, J. A. (Saffron Walden)  
 Ponsonby, Arthur A. W. H.  
 Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro'  
 Richards, T. F. (Wolverh'mpt'n  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Robertson, J. M. (Tyneside)

Robson, Sir William Snowdon  
 Roe, Sir Thomas  
 Rowlands, J.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, Sir C. E. (Manchester  
 Sherwell, Arthur James  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Steadman, W. C.  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)

Torrance, Sir A. J.  
 Toulmin, George  
 Vivian, Henry  
 Wadsworth, J.  
 Walsh, Stephen  
 Walters, John T.  
 Wardle, George J.  
 Waterlow, D. S.  
 Weir, James Gall  
 White, J. D. (Dun)  
 White, Luke (York)  
 Whitehead, Rowland  
 Whitley, John H.  
 Wiles, Thomas  
 Wilson, W. T. (W)  
 Wood, T. M'Kin  
 Yoxall, James H.

TELLERS FOR THE BILL  
 Wedgwood and

MR. PICKERSGILL (Bethnal Green, S.W.) moved to add after the words "intoxicating liquor" the words "within the meaning of the Intoxicating Liquors Act." He pointed out that at present they had only the words "intoxicating liquor," which might mean anything or nothing. It was true that intoxicating liquor was defined in the Intoxicating Liquors Act, but the definition would not be incorporated in this Bill unless this Amendment were made. Therefore, he was only carrying out the intentions of the movers of the clause and the House in moving it.

MR. RIDSDALE formally seconded.

Amendment proposed—

"In line 2, after the word 'liquors' to insert the words 'within the meaning of the Intoxicating Liquors Act.'"—(Mr. Pickersgill.)

Question proposed, "That those words be there inserted."

\*MR. HERBERT SAMUEL thought his hon. friend would be well advised in accepting this Amendment in the proper form. There was not such an Act as the Intoxicating Liquors Act. The proper words would be "within the meaning of the Licensing Acts, 1828 to 1906." Under the Inebriates Act the meaning of intoxicating liquors had been held to be wider and to cover other things besides alcoholic liquors

MR. PICKERSGILL, upon the motion of the moment, was unable to move it, or the words of the Under-Secretary were the correct words, but he would move the Amendment in the form suggested.

\*MR. SPEAKER: The hon. member will, then, withdraw his Amendment and move it in the new form.

Amendment, by leave, withdrawn.

Amendment proposed—

"In line 2, after the word 'liquors' to insert the words 'within the meaning of the Licensing Acts, 1828 to 1906.'"—(Mr. Pickersgill.)

Question proposed, "That those words be there inserted."

LORD R. CECIL asked the hon. member to consider carefully what he was doing. Surely the hon. member did not want the House to commit an offence to give a baby brandy, or what was more, in years gone by, a little port or sherry, the very best intention, but always given with the best in the world—but that it was an offence to give a baby an amount of narcotic drugs undiluted with soothing syrup. A large number of babies' lives were sacrificed by the giving of medicine containing narcotics.



\*MR. SPEAKER: The noble Lord is now discussing the last Amendment.

LORD R. CECIL said he was only discussing the definition of intoxicating liquor. If "intoxicating liquor" was left without a definition it would include all these narcotic drugs. It was surely a most ridiculous thing to say that a person could poison a baby to any extent, so long as liquor which paid excise duty was not used. That was an absurd position to take up, and the House would be wise to reject this Amendment and leave the clause as it stood.

MR. RAWLINSON, speaking from recollection, thought that a better definition of intoxicating liquor would be found in the Inebriates Act than in the Licensing Acts. The question here was a question of deleterious alcohol, and that was better defined in the Inebriates Act, where the definition included certain noxious drugs as well as alcohol. He desired to emphasise the difference between the definition in the two cases. In the one case the definition was confined to liquor which had to pay excise duties, in the other it was more widely extended. It would raise again some part of the question raised on the previous Amendment as to whether the House thought alcohol was more deleterious than drugs. It was interesting to know that the fear of opium was not so great in the House as the fear of alcohol, but at the same time he ventured to submit that they ought to deal with the question of intoxicating liquor being given to a child, and not the question of whether it was an excisable liquor or otherwise.

MR. DUNDAS WHITE (Dumbartonshire) said the discussion of the last few minutes had impressed him with the danger of the House drafting clauses as they went along. He objected altogether to this system of legislation. If intoxicating liquor was to be defined, it should be defined in the section. The fact had been overlooked that this Bill applied not merely to England, but also to Scotland and Ireland, and if the definition of the Licensing Acts were to be incorporated, they also would apply to Scotland and Ireland. For that reason he was inclined to favour the suggestion

of the hon. Member opposite that the definition of the Inebriates Act which applied to England, Scotland and Ireland, should be taken. He protested against this method of legislation, which in his opinion would, in the long run, land Scotland and Ireland into considerable confusion in the administration of this Act.

MR. BOWLES thought the House was entitled to know what was the definition of intoxicating liquor. The House had passed an Amendment making it a crime to give a child any intoxicating liquor without a single hon. Member defining what he meant by intoxicating liquor. He joined with his hon. friend opposite in protesting against this system of legislation. They were asked to confine "intoxicating liquor" within the definition of the Licensing Acts. The Under-Secretary had referred to those Acts. Would the hon. Member say what was the definition.

\*MR. CHERRY said the definition referred to in the Amendment occurred in the Licensing Act of 1872:—"Intoxicating liquor means spirits, wine, beer, porter, cider, perry, sweets, and any fermented, distilled, or spirituous liquor which cannot, according to any law for the time being in force, be legally sold without a licence from the Commissioners of Inland Revenue.

MR. BOWLES asked for an explanation of the word "sweets."

MR. CHERRY replied that as he understood, it was interpreted to mean English wines. The hon. Member should remember that this Amendment was not moved by the Government; it had been sprung upon the House, and if it were accepted, he promised that full consideration should be given to the matter in another place. If it were only a question of drafting, it would be dealt with.

MR. FELL (Great Yarmouth) said the question had been discussed entirely with reference to alcohol, but it must be within the knowledge of the hon. Members that light wine mixed in water was frequently given to children of four or five years of age, because in many

places water could not safely be drunk. Claret or cider was considered safer. There was many a village in Devonshire where a man would not risk allowing his child to drink the local water. Members of the House had not thought, he confessed, that "intoxicating liquors" covered such things as elder wine or cowslip wine, or liquors of that sort, given to children at Christmas. The proposal was so utterly preposterous that the House should say that the clause could not be passed in its present form.

\*MR. NAPIER (Kent, Faversham) suggested that the Amendment should be withdrawn, and that the Government should undertake to bring up a definition, when the Definition Clause was reached, to meet the case. Otherwise, they might go on discussing this matter for an interminable length of time without giving any real consideration to it.

\*MR. HERBERT SAMUEL said that if his hon. friend would accept that course he would be very glad.

MR. PICKERSGILL: Certainly. I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. RAWLINSON moved to amend the clause by inserting in line 3, after the words "medical practitioner," the words "or nurse."

Amendment moved—

"In line 3, after the word 'practitioner,' to insert the words 'or nurse.'"—(*Mr. Rawlinson.*)

Question, "That those words be there inserted," put, and agreed to.

MR. RAWLINSON moved to insert after the word "sickness," the words "or apprehended sickness." That would meet the case of the hon. Member below the gangway who had pointed out that a parent might give his child, under the age of five, alcohol in genuine apprehension of sickness. An example had been given by his right hon. friend. A child might come in exceedingly wet, and, fearing that it might catch cold, the mother might

*Mr. Fell.*

give it a certain amount of. Under those circumstances be "apprehended sickness." Member below the gangway had guilty to having committed the on some occasions, having given child three or four drops of because he "apprehended sickness" thought the alcohol would be in prevent it. He submitted Amendment which he proposed reasonable one.

Amendment proposed—

"In line 3, after the word 'sickness,' to insert the words 'or apprehended sickness.'"—(*Mr. Rawlinson.*)

Question proposed "That those words be there inserted."

MR. WEDGWOOD said Member had stated his case and he would accept the Amendment.

Question put, and agreed to.

Question proposed, "That the words as amended, be added to the Bill."

LORD R. CECIL said he would call the House's attention to the Amendment which was proposed to be added to the Bill. The two Amendments which had just been accepted, were Amendments of which he himself entirely approved, but he did not know whether there was any legal definition of "nurse."

MR. RAWLINSON: "Fully qualified."

LORD R. CECIL said he did not know the words "fully qualified," and he did not know what they would mean. A nurse would be anyone who was in charge of the duty of nursing the child, and he was sure it would always be an order that it should be a nurse, because the alcohol would be given by the nurse. In the Amendment "apprehended sickness," it was proposed that anybody in charge of a child, whenever they apprehended sickness, would give the child liquor, which was undefined at present, and, he was sure, would certainly include alcohol.

things as well. Though he agreed that these Amendments were perfectly necessary in order to prevent the impossibility of working the Act, yet he thought their insertion must have shown the House how utterly impossible this legislation was, and he hoped that they would see

their way not to accept the clause as amended.

Question put.

The House divided:—Ayes, 140; Noes, 85. (Division List No. 245.)

### AYES.

Acland, Francis Dyke  
 Agar-Robartes, Hon. T. C. R.  
 Allen, A. Acland (Christchurch)  
 Armstrong, W. C. Heaton  
 Arbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Bennett, E. N.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramdon, T. A.  
 Brigg, John  
 Buchanan, Thomas Ryburn  
 Burton, Rt. Hon. Sydney Charles  
 Carr-Gomm, H. W.  
 Caston, Rt. Hon. Richard Knight  
 Channing, Sir Francis Allston  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Collins, Stephen (Lambeth)  
 Cornwall, Sir Edwin A.  
 Cowan, W. H.  
 Cox, Harold  
 Davies, Sir W. Howell (Bristol, S.)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ebbank, Master of  
 Evans, T. R.  
 France, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fullerton, Hugh  
 Glyn-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Geddard, Sir Daniel Ford  
 Greenwood, Hamar (York)

Gulland, John W.  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, Lewis (Monmouth)  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hodge, John  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Maddison, Frederick  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Morgan, J. Lloyd (Carmarthen)  
 Murray, Capt. Hn. A. C. (Kincard)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholson, Charles N. (Doncaster)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)

Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pease, J. A. (Saffron Walden)  
 Ponsonby, Arthur A. W. H.  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Richards, T. F. (Wolverhampt'n)  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Samuel, S. M. (Whitechapel)  
 Schwann, Sir C. E. (Manchester)  
 Sherwell, Arthur James  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Steadman, W. C.  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Vivian, Henry  
 Wadsworth, J.  
 Waterlow, D. S.  
 Weir, James Galloway  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas P  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Wedgwood and Mr. Summerbell.

### NOES.

Abraham, William (Cork, N. E.)  
 Acland-Hood, Rt. Hon. Sir Alex F  
 Ashby, W. W.  
 Asherley-Jones, L.  
 Baldwin, Stanley  
 Barber, Sir Frederick George  
 Barr, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase

Bignold, Sir Arthur  
 Boland, John  
 Butcher, Samuel Henry  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Cave, George  
 Cecil, Lord John P. Joicey-  
 Coates, Major E. F. (Lewisham)

Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt Hon. J. (Birmingham)  
 Collins, Sir W. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinsd)  
 Cotton, Sir H. J. S.  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Curran, Peter Francis

the extension of the Act was not displaced by any contrary evidence. Having regard to the serious amount of evil thus brought under their notice, they recommend that the provisions of the Infant Life Protection Act, 1897, should be extended to homes in which not more than one infant is kept in consideration of periodical payment."

That was the award of the Committee which was in the position of an arbitrator between two contending parties. The Standing Committee upstairs had willingly accepted that award, and without a division and with very little discussion the Government Amendments to bring in the one-child homes were accepted. The hon. and learned Gentleman had said nothing to show that the conclusion arrived at by the Standing Committee was wrong, and he trusted that the House would reject the Amendment.

Amendment negatived.

MR. RAWLINSON said he would formally move the next Amendment standing in his name on the Paper.

Amendment proposed—

"In page 1, line 8, to leave out the word 'seven,' and to insert the word 'five.'"—(Mr. Rawlinson.)

Question proposed, "That the word 'seven' stand part of the clause."

\*MR. HERBERT SAMUEL said that this Amendment stood much on the same footing as the previous one. The age had been left at five in the Bill because that was the limit in the Act of 1897. The point had been referred to the Select Committee which had unanimously reported after hearing the evidence that the age should be above five, and that was the reason why "seven" had been inserted.

Amendment negatived.

\*MR. HERBERT SAMUEL said the next Amendment standing in his name dealt with the amount of information to be given. It had been urged by the Poor Law authorities that fuller information than that which was provided for by the Act of 1897 was necessary. It was known that sometimes these children

*Mr. Herbert Samuel.*

ultimately came upon the Poor Law, and, therefore, it was necessary guardians should be able to trace where the persons legally liable for maintenance. On the other hand, it should be remembered that in inquisitorial these inquiries were harassing the inspection became greater was the temptation to make untrue statements. Several proposals were withdrawn because he had not time to consider the matter carefully. He had conferred with the Local Government Board. He had consulted the Government Board, and the amendments on the Paper had been taken down in consequence. He now proposed to omit the words "age, and date and place of birth," and to insert after the word "sex" in line 8 the words "and date and place of birth." He begged to move.

Amendment proposed—

"In page 1, line 19, to leave out the words 'age and,'"—(Mr. Herbert Samuel.)

Question, "That the words 'age and date and place of birth' stand part of the Bill"—put, and agreed to.

Amendment—

"In page 1, line 19, after the word 'sex' insert the words 'and date and place of birth.'"—(Mr. Herbert Samuel.)—

Agreed to.

MR. RAWLINSON said that in the circumstances he did not propose to move his next Amendment. He wished to say, however, that the inquisitorial and the more harassing nature of the inquiries made the tendency to defeat the object of the Bill.

Amendments—

"In page 3, line 21, after the word 'subject' insert the words 'one or more.'"—

"In page 3, line 21, after the word 'subject' insert 'of either sex.'"—

"In page 3, line 25, after the word 'subject' insert the words 'if satisfied that the interests of the infants are properly safeguarded.'"—

"In page 3, line 27, after the word 'subject' insert the words 'subject howsoever.'"—

obligation to furnish periodical reports to the local authority.'"—(Mr. Herbert Samuel)—

Agreed to.

SIR F. BANBURY moved to leave out subsection 4 of Clause 2. He understood that it was desired to give power to the local authorities, where children had been placed out to nurse by responsible societies, to allow the societies to visit and inspect for themselves instead of the local authority. That was distinctly a good provision, and it was provided for under the subsection which they had just passed. Consequently he did not see why it was necessary to have this subsection in. It gave to the local authority power to render the Act nugatory altogether, and they might decide against having an inspection of any home. It would not be necessary for them in that case to give any explanation of their conduct. They were now being asked to pass a Bill which was in the main a good one, and which was going to effect a considerable revolution in the child life of the country. In view of those facts, why should they give this enormous power to local authorities? Local authorities had not come out very well during the last few months, more especially boards of guardians. The recent scandals which had been disclosed were present to the minds of hon. Members, and he could not see why they should go further by allowing the local authorities to have absolute *carte blanche* in this matter. He hoped the Under-Secretary would be able to show that the arguments he had advanced were wrong, and if he could not do so this subsection ought to be omitted. He begged to move.

MR. RAWLINSON seconded.

Amendment proposed—

"In page 3, line 31, to leave out subsection (4) of Clause 2."—(Sir F. Banbury.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL remarked that when the hon. Baronet made a proposal for the extension of inspection

he could not help drawing attention to the fact, for it was the first time such a remarkable circumstance had occurred during his experience of Parliament. He wished to point out, in the first instance, that the local authority had distinctly laid upon it the duty by Clause 2, subsection (1) of inspecting under all ordinary circumstances. They could not say by a stroke of the pen: "We will exempt all these homes in our district." The hon. Baronet said the local authorities might neglect their duty. He might say that he had been in communication with the Local Government Board on that point, and he understood that they would take steps administratively to see that this part of the Act did not become a dead letter. The Government would require the necessary information to be supplied to them in order to show that the Act was being properly administered. The hon. Baronet had said that this subsection was unnecessary because it was already covered by the proviso of subsection (2); but that only allowed the local authority to exempt nursed children where they had been put out to nurse by philanthropic societies. But there were many other cases to be dealt with. There was the case of the middle-class man who went to India and left a child in care of some friend, paying for its board and lodging. They did not want the machinery of this Bill for a case of that sort. Then there was the case of a widower who put his children out to nurse in his own neighbourhood, and in that instance they might not want inspection. It was quite reasonable to allow some latitude to local authorities to exempt cases from inspection. His next Amendment would safeguard the clause, because he proposed to insert words providing that this exemption might only be allowed in the case of homes "which appear to them to be so conducted that it is unnecessary that they should be visited." He thought those words met the very legitimate desire of his hon. friend who wished to draw as tightly as possible the inspection of these homes. He hoped the Amendment would not be pressed.

LORD R. CECIL said it was very seldom that he differed from the hon. Baronet



the Member for the City of London, but he respectfully did so on this occasion. The Under-Secretary had referred to the Report of the Select Committee, and unquestionably some of those who sat on the Select Committee were very much impressed by certain arguments used in favour of not extending the Act to one-child homes. A part of the evidence which impressed him very much was that in a certain number of cases individual children were taken in from motives of affection, and that in those particular homes the home atmosphere was preserved in a way which should be encouraged. Granted the most perfect inspection in the world, they could not secure by inspection quite that atmosphere which would exist naturally in a certain number of homes, and once they discouraged people of that kind from taking in children they were doing an injury which no machinery or official arrangements could possibly, or altogether adequately, compensate. That was an argument which was pressed very strongly on the Select Committee, and it was in view of that evidence that they drew up the following clause in their Report—

“ They are, however, of opinion that some of the objections urged by the witnesses against extension deserve serious consideration. Your Committee believe there are a large number of these one-child cases, where the infant is received from motives of a real affection for children in general, or for some child, or parent, in particular. Where this element of a home atmosphere exists it is of vital importance that nothing should be done by Act of Parliament, or what would flow therefrom, to chill or impair it. On a careful review of this aspect of the case, your Committee are of opinion that some power should be given to the local authority to exempt, on such terms and conditions as it may think fit, any particular home in their district from inspection, or to make arrangements for any such inspection to be made by a properly constituted benevolent society if the local authority are satisfied that the interests of the child will be safeguarded.”

Personally he was exceedingly grateful to the Government for carrying out so fully as they had done by this subsection that paragraph in the Report of the Committee, and he hoped his hon. friend would not think it necessary to press the Amendment to a division. He was convinced that this subsection was one of the most valuable in the Bill.

*Lord R. Cecil.*

MR. H. J. TENNANT said he with what had fallen from the Lord that there should be some of exempting those one-child in order not to imperil the atmosphere which one wanted encouraged as much as possible only doubt he had was whether authority was the proper authority to decide which homes should be inspected and which should not. He had his hon. friend the Under-Secretary made it his business to think the question whether the local authority was the right one to give the verdict would have felt more comfortable. His hon. friend had made himself or officials the arbiter which home should be exempted. There could be no doubt that some local authorities were very lax. He did not wish to give too much power or to increase their power nor did he wish that there should be things which they all deplored which this Bill was drafted to try to stop to. He would have liked to insert in the clause the words “the sanction of the Secretary of State or some words of that kind, to the local authorities up to the mark”

MR. NIELD (Middlesex, Ealing) associated himself with the remarks of his hon. Member opposite. There was a strong reason for giving discretion to the local authority in this matter. There was, for example, the case of a child from India where the conditions of service were such as to render it necessary that the child should be looked after in this way. He knew of several cases where local authorities had opened—he would say not kindergartens but infant schools to which the children of people in the Indian service were sent. It was obvious that such children should be exempted. He thought means should be found in the Bill to give to the local authority the type of exemption which should fall within the exemption. He suggested to the Under-Secretary that subsection (4) might be amended by the insertion of the words “for the reasons recorded by them,” and that in each case of exemption they should be able to guard against the danger which had been referred to as possible

where exemption was granted at the mere request of a person.

SIR F. BANBURY said he had not changed his opinion as to the multiplication of inspections. On the contrary the more he got the more convinced he was on a point. He agreed with the hon. Members who had expressed the opinion that the local authority was not the proper authority to deal with these cases. The local authority might exempt too many and another might wisely exempt none at all. There should be a general rule which would enforce the exemptions on similar terms all over the country. In deference to the arguments of the Under-Secretary he asked leave to withdraw the Amendment. He asked the hon. Gentleman to consider whether he could not make the Home Office instead of the local authority the authority for giving exemptions. The Home Secretary could arrange that there should be a consistent plan of all over the country.

Amendment, by leave, withdrawn.

#### Amendments—

In page 3, line 33, after the word 'district,' insert the words 'which appear to them to be conducted that it is unnecessary that they should be visited.' "

In page 3, line 36, after the word 'visit,' insert the words 'or examine.' "

In page 4, line 23, after the word 'who,' insert the words 'after being given an opportunity of being heard.' "—(*Mr. Herbert Samuel*)—

Agreed to.

SIR F. BANBURY moved to leave out Clause 4. He said the clause empowered the local authority to fix the number of infants that might be kept in a dwelling in respect of which notice had been received. In his opinion the local authority was not the authority to fix the number. He did not say that the number should not be fixed, that a person should not be required, and that regulations should not be laid down as to the sanitary arrangements of the house in which the infants were kept. What he said was that the Home Office was the proper authority to make the regulations. If the local authorities were modelled

on the lines of that of Birmingham he would not object, but they were not all so enlightened. Different localities might take different views, and it was surely desirable that the regulations should be made by a central authority with the view of securing something like uniformity. The number of cubic feet of air space required in one district for proper health was just the same in another district. He did not know why the local authorities were to have this power. The Bill was a long one, and it surely would have been possible for the hon. Gentleman to define the conditions under which infants might be kept. Under these circumstances he hoped the hon. Gentleman would consent to the omission of the clause. Any new clause that might be necessary to give the Home Office power in the matter could be inserted in another place.

#### Amendment proposed—

"In page 4, line 27 to leave out Clause 4."  
—(*Sir Frederick Banbury*.)

Question proposed, "That Clause 4 stand part of the Bill."

\*MR. HERBERT SAMUEL said this was a clause which merely reproduced the existing law. He was bound to say that it would be a very difficult thing for a central Government Department to say how many infants should be kept in any particular house or cottage. Circumstances differed in different places. The number of infants that might be kept in a house would depend on the number of adults living there. A cottage might be so overcrowded with adults that no children should be kept there at all. There might be another cottage of the same size where, the conditions in regard to adult occupants being different, three or four children might be comfortably accommodated. It was impossible by a general rule laid down by a Government Department to deal with all these various circumstances. The hon. Baronet must remember that these homes were numbered by tens of thousands. The machinery of the central Government could not deal with these problems. It appeared to him, however, that the clause needed amendment, seeing that



the Bill now extended to one-child homes. The clause said—

“It shall be the duty of the local authority to fix the number of infants under the age of seven years which may be kept. . . .”

It seemed to him to be unnecessary to make that a duty. He could not agree to omit the clause, but agreed that it might well be made optional.

SIR F. BANBURY suggested that if he withdrew his Motion to leave out the clause, the hon. Member might accept the Amendment standing in the name of his hon. and learned friend, the Member for Cambridge University. The clause would then run that the local authority might fix the number of infants under the age of five years which might be kept in a dwelling.

Amendment, by leave, withdrawn.

Amendments—

“In page 4, line 27, to leave out the words ‘It shall be the duty of.’”—(*Sir F. Banbury.*)

“In page 4, line 27, after the word ‘authority’ to insert the word ‘may.’”—(*Sir F. Banbury.*)

“In page 4, line 38, after the word ‘immorality,’ to insert the words ‘criminal conduct.’”

“In page 5, line 4, after the word ‘apply,’ to insert the words ‘either to a justice or.’”

“In page 5, line 11, after the word ‘and,’ to insert the words ‘(a) If the order was made by a justice, the order may be enforced by the visitor or by any constable; and (b) if the order was made by the local authority.’”

“In page 5, line 34, after the word ‘directly,’ to insert the words ‘or indirectly,’”—(*Mr Herbert Samuel.*)—

Agreed to.

\*MR. CHARLES CRAIG said he wished to propose an Amendment to Clause 11, which dealt with exemptions, by inserting after the word “purposes,” the words “or to any religious or charitable society which shall pay any person for keeping an infant, or the person so employed; provided that the society has appointed a person who shall visit, inspect, and report to the society on the state of such infant at least once in three months.” This Amendment was designed to protect the interest of such institutions as the Presbyterian Orphan Society and the Protestant Orphan Society—institutions which did a great deal of good work in the way of looking after orphans, not within homes and

*Mr. Herbert Samuel.*

buildings maintained by them by employing other persons after the orphans. If these institutions came under the definition of “institutions” in this section his Amendment would not be necessary; but it was more than likely that the Presbyterian Orphan Society and the Protestant Orphan Society would not be considered as institutions for the protection of life within the meaning of the Bill. He hoped that the Amendment would be accepted. He thought it would hardly be against these societies if the conditions imposed by the eleven clauses were made optional for them. A system of exemptions similar to that laid down in the Bill had been in force from the inception of these institutions. He understood the clause, as it stood at present, these two institutions would be exempted under Section 11, and inspectors would have to be appointed individually by every Poor Law Union in the North of Ireland in which one of the societies were boarded out. He was of the fact that the inspectors of these societies’ inspectors had always been carried out carefully and satisfactorily. He thought it would be a great advantage to impose on them the burden of their inspectors approved of by the local authorities. Again, presumably these societies did not come under the provisions provided in Clause 11, even where an orphan was boarded out. He thought they should have to be subjected to the regulations contained in the Act. He submitted that that was quite unnecessary, since these associations existed for the purpose of providing for the boarding out of children being well looked after. He hoped that the hon. Member in charge of the Bill would be willing, at any rate, to provide that such institutions named could receive a certificate of some sort from the Local Government Board, or the Lord-Lieutenant of Ireland, that they were in compliance of a proper kind to be exempted from the regulations under the Act, thereupon they should be so exempted.

MR. NIELD seconded the Amendment, for which he said his hon. friend had made out a good case. The Amendment mentioned by the hon. Me

obligation to furnish periodical reports to the local authority.'"—(Mr. Herbert Samuel)—

Agreed to.

SIR F. BANBURY moved to leave out subsection 4 of Clause 2. He understood that it was desired to give power to the local authorities, where children had been placed out to nurse by responsible societies, to allow the societies to visit and inspect for themselves instead of the local authority. That was distinctly a good provision, and it was provided for under the subsection which they had just passed. Consequently he did not see why it was necessary to have this subsection in. It gave to the local authority power to render the Act nugatory altogether, and they might decide against having an inspection of any home. It would not be necessary for them in that case to give any explanation of their conduct. They were now being asked to pass a Bill which was in the main a good one, and which was going to effect a considerable revolution in the child life of the country. In view of those facts, why should they give this enormous power to local authorities? Local authorities had not come out very well during the last few months, more especially boards of guardians. The recent scandals which had been disclosed were present to the minds of hon. Members, and he could not see why they should go further by allowing the local authorities to have absolute *carte blanche* in this matter. He hoped the Under-Secretary would be able to show that the arguments he had advanced were wrong, and if he could not do so this subsection ought to be omitted. He begged to move.

MR. RAWLINSON seconded.

Amendment proposed—

"In page 3, line 31, to leave out subsection (4) of Clause 2."—(Sir F. Banbury.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL remarked that when the hon. Baronet made a proposal for the extension of inspection

he could not help drawing attention to the fact, for it was the first time such a remarkable circumstance had occurred during his experience of Parliament. He wished to point out, in the first instance, that the local authority had distinctly laid upon it the duty by Clause 2, subsection (1) of inspecting under all ordinary circumstances. They could not say by a stroke of the pen: "We will exempt all these homes in our district." The hon. Baronet said the local authorities might neglect their duty. He might say that he had been in communication with the Local Government Board on that point, and he understood that they would take steps administratively to see that this part of the Act did not become a dead letter. The Government would require the necessary information to be supplied to them in order to show that the Act was being properly administered. The hon. Baronet had said that this subsection was unnecessary because it was already covered by the proviso of subsection (2); but that only allowed the local authority to exempt nursed children where they had been put out to nurse by philanthropic societies. But there were many other cases to be dealt with. There was the case of the middle-class man who went to India and left a child in care of some friend, paying for its board and lodging. They did not want the machinery of this Bill for a case of that sort. Then there was the case of a widower who put his children out to nurse in his own neighbourhood, and in that instance they might not want inspection. It was quite reasonable to allow some latitude to local authorities to exempt cases from inspection. His next Amendment would safeguard the clause, because he proposed to insert words providing that this exemption might only be allowed in the case of homes "which appear to them to be so conducted that it is unnecessary that they should be visited." He thought those words met the very legitimate desire of his hon. friend who wished to draw as tightly as possible the inspection of these homes. He hoped the Amendment would not be pressed.

LORD R. CECIL said it was very seldom that he differed from the hon. Baronet

and were organised for the sake of the persons who managed them, who did not scruple to treat with neglect and even cruelty the children who came into their hands. They could not, in a Bill of this sort, exempt altogether any body which called itself a philanthropic or religious institution. He was bound to say also that it was improper that this exemption should go into this clause, because the latter dealt only with institutions in which the children were boarders.

MR. NIELD : It does not say so.

\*MR. HERBERT SAMUEL : Yes, it does. The hon. Member went on to say that he thought that was the only interpretation of the words "Hospital, convalescent home or institution especially for the protection and care of infants, conducted in good faith for charitable or religious purposes."

\*MR. CHARLES CRAIG thought there was a great deal of force in what the Under-Secretary had said, but he did not think that his objections applied to societies such as the two he had mentioned, and although a subsection of Clause 2 had been mentioned it left it to the local authority to deal with inspection.

\*MR. HERBERT SAMUEL said they might exempt all the homes of any particular society from being inspected.

\*MR. CHARLES CRAIG said the hon. Member must remember that there were a great many of these local authorities. In his own county of Antrim there were six local authorities, and in the Northern counties of Ireland there were, taking them together, perhaps thirty or forty local authorities who would have to be consulted in the case of each of the two institutions he had named. It seemed hard that an institution of this sort should have to get exemption under this particular clause from thirty or forty local authorities. These institutions had been doing their work so well for so many years that it seemed unnecessary now to throw upon the local authority the duty of in-

specting houses which were well inspected by these institutions at the present time. The hon. Member said that the production of the certificate was not included in the Amendment but he hoped he would see it accepted as it was. At all events he trusted he would accept the Amendment which provided the Local Government Board should give a certificate. He moved as an Amendment to the Bill to add : "and provided that no religious or charitable society obtained from the Local Government Board a certificate that it is a proper institution to be exempted from the provisions of this part of the Bill." That seemed to him to get over the difficulties raised by the hon. Member, and such well-known societies as he had mentioned would, he thought, be exempted at once by the Local Government Board in Ireland. He said to him that no possible harm would be done, whereas he felt that these restrictions on these two institutions and many others, they would rather than stimulate their authorities to begged to move.

SIR F. BANBURY said he would second the Amendment to the Bill. He was glad his hon. friend had moved it, because in regard to the Amendment he was rather taken by the arguments of the Under-Secretary which he felt were so cogent that he would vote for his hon. friend in regard to it because it was evident that many people who, under the interpretation of the words "charitable institutions," used the institutions as a means of carrying on their own living, and did not carry them on in the spirit in which they should be carried on. That was the argument of the Under-Secretary which he felt that it was so true that he was inclined to think he should not be obliged to desert his hon. friend. In addition he now proposed to move the Amendment to the Bill to get over the objections of the Under-Secretary. He had been contending during the evening that the Local Government Board or the Home Office was the authority to decide whether an institution should be exempted or not. There were no great numbers of charitable

*Mr. Herbert Samuel.*

institutions which undertook the guardianship of children, and it would be perfectly easy for them to apply to the Local Government Board, and this would provide a uniform system all over the United Kingdom. Under these circumstances he hoped the hon. Gentleman who had shown a spirit of friendliness to reasonable Amendments from that side of the House would accept this one, which would in no kind of way interfere with the spirit of the Bill, and would render the task of the local authority easier. He was not enamoured of local authorities and would prefer that the matter should go to the Local Government Board who should decide once for all whether all over England, Scotland, and Ireland these associations should be exempted. He earnestly hoped that the Amendment of his hon. friend would be accepted.

**Amendment proposed to the proposed Amendment—**

"At the end, to add the words 'and provided that such religious or charitable society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of this part of this Act.'"—(*Mr. Charles Craig.*)

**Question proposed, "That those words be there added to the proposed Amendment."**

**MR. HERBERT SAMUEL** thought the Amendment moved in this form required careful consideration. The hon. Member had not put it upon the Paper, and, therefore, there had been no opportunity of consulting the Local Government Board upon it. Nor could he say that that Department would welcome so difficult and invidious a duty as that of saying that one society should be exempt from the provisions of the Act and that another should not. If the hon. Member would be good enough to withdraw the Amendment now, as it could not be accepted without consultation with the Departments concerned not only in England but in Scotland and Ireland also, he would give it his consideration and deal with it, if necessary, in another place.

**MR. CHARLES CRAIG**, upon the undertaking of the hon. Gentleman, asked leave to withdraw his Amendment.

**Amendment, to the proposed Amendment, by leave, withdrawn.**

**Proposed Amendment to the Bill, by leave, withdrawn.**

**MR. AKERS-DOUGLAS** moved the rejection of Clause 13, for the purpose of asking the Under-Secretary whether on reflection he did not think that the penalty under this clause was a very stringent one and one which might fall very harshly on innocent persons. He had no sympathy with the professional beggar, or with those who hired children for the purpose of begging, but he had great sympathy with persons who might be affected by the other ten lines of the clause. The question he wished to ask was how the hon. Gentleman defined the word "allows." He assumed that he meant "wilfully allows." That was to say that the person having the custody, charge, or care, of the child was fully acquainted with the fact that the child started out to beg. Let him take a concrete illustration. Let the hon. Gentleman assume that there was a widow who kept herself and her two or three children by her needle. The children went out into the street to play, and without her knowledge solicited alms, by singing or playing or performing, and brought themselves under the terms of this clause. It struck him that it was a great hardship to inflict on the widow anything like the penalty of £25 or three months imprisonment. The woman in that case had no guilty knowledge that the children were out for the purpose of begging. Although subsection (2), to a certain extent qualified his objection he did not think it in any way removed it. His attention had been recently called to the latter part of the clause by one of the best known London police magistrates, who pointed out to him the complete ignorance of many persons charged with these offences, and who said it was all very well to say that they were given the opportunity to prove the contrary, but that they did not know what to do in order to prove the contrary, and that very few of them knew what was meant when they were asked to give evidence. All he wished was to be assured that this clause would not be applied in such a case as he had suggested. He



wished the Government to be careful not to allow a clause of this sort to apply in any case to a poor woman or other person who had the custody of children, who had no place except the one room in which they lived and slept, and who had to go out in the streets to play. In such cases a penalty of this sort would be extremely harsh, and, therefore, he hoped the Under-Secretary would be able to assure him that it should not apply. He also hoped that in any case the hon. Gentleman would accept some Amendment to differentiate such cases. He would be satisfied if the hon. Gentleman inserted "wilfully." In such a case as he had mentioned where the children could not be under the eye of the person nominally in charge of them it would be a great hardship if the person under whose charge they were, who did not wilfully incite them to beg, was rendered liable to such a penalty as this. He begged to move.

Amendment proposed—

"In page 9, line 13, to leave out Clause 13."—  
(*Mr. Akers-Douglas.*)

Question proposed, "That subsection (1) of Clause 13 stand part of the Bill."

\***MR. HERBERT SAMUEL** pointed out that subsection (1) of this clause was precisely the existing law, with the one exception that the age was raised from fourteen to sixteen in the case of boys, and that the penalties in this clause were precisely those of the Act of 1904 for this offence. He was quite sure that the law of 1904 was right, because it was passed when the right hon. Gentleman opposite was Home Secretary, and therefore charged with the supervision of legislation of this character. Subsection (2) was new, and showed what was meant by the word "allows," and also put the burden on the parent to prove that though the child was found in the street begging it was not the parents' fault. One of the great difficulties which was now felt in the working of the present Act upon this point was that, although it was well-known that a disreputable parent knew that his child was in the street begging, but he acquiesced in and profited by his doing, unless it could be

*Mr. Akers Douglas.*

clearly proved that the parent instructed or incited that child. If certain Courts would not convict, the Government had been strongly urged to insert subsection (2) and to shift the burden of proof on the parent. If subsections were deleted it would be extremely difficult to secure convictions in proper cases. After all, the parent was responsible for the custody of the child, and when a child was found in the street was shown to be there for that purpose, the burden of proof on the parent was not allowed to be shifted. For that purpose ought to be on the parent.

**MR. ASHLEY** (Lancashire, South-West) thought the speech to which he had just listened was one that might have come from a strong Conservative hon. Gentleman's argument. He thought that because the Act of 1904 inflicted a penalty on a parent for allowing his child to be in the street, the House must be bound by that Act. No doubt he had been acted quite rightly and properly in passing that Act, yet, never thought this penalty of £25 was very harshly indeed, not one that induced their children to obtain money from the unwary, but one that was a part of the law and of what they had to do in order to escape this severe penalty. He, therefore, thought it was a penalty that was mitigated and that justice was done by the punishment of those who were responsible and in avoiding injury to those who were allowed their children out in the street to play.

**MR. MACLEAN** pointed out that the penalty in the Bill was the same as the penalty in the Act of 1904 but that the Act of 1889, both of which Acts were the result of the legislation of the same period, was quite opposite. It was delightful that this legislation was the result of the agreement of both the Parties in the House. The major position of children's work was due to the present Lord Chancellor who brought in the Act of 1904 and who also supported the Act of 1904. He was in regard to the point that a child was allowed to be in the street without parents, and was found begging, that the clause put the onus upon the

institutions which undertook the guardianship of children, and it would be perfectly easy for them to apply to the Local Government Board, and this would provide a uniform system all over the United Kingdom. Under these circumstances he hoped the hon. Gentleman who had shown a spirit of friendliness to reasonable Amendments from that side of the House would accept this one, which would in no kind of way interfere with the spirit of the Bill, and would render the task of the local authority easier. He was not enamoured of local authorities and would prefer that the matter should go to the Local Government Board who should decide once for all whether all over England, Scotland, and Ireland these associations should be exempted. He earnestly hoped that the Amendment of his hon. friend would be accepted.

**Amendment proposed to the proposed Amendment—**

"At the end, to add the words 'and provided that such religious or charitable society shall have obtained from the Local Government Board a certificate that it is a fit and proper institution to be exempted from the provisions of this part of this Act.'"—(*Mr. Charles Craig.*)

Question proposed, "That those words be there added to the proposed Amendment."

\***MR. HERBERT SAMUEL** thought the Amendment moved in this form required careful consideration. The hon. Member had not put it upon the Paper, and, therefore, there had been no opportunity of consulting the Local Government Board upon it. Nor could he say that that Department would welcome so difficult and invidious a duty as that of saying that one society should be exempt from the provisions of the Act and that another should not. If the hon. Member would be good enough to withdraw the Amendment now, as it could not be accepted without consultation with the Departments concerned not only in England but in Scotland and Ireland also, he would give it his consideration and deal with it, if necessary, in another place.

**MR. CHARLES CRAIG**, upon the undertaking of the hon. Gentleman, asked leave to withdraw his Amendment.

Amendment, to the proposed Amendment, by leave, withdrawn.

Proposed Amendment to the Bill, by leave, withdrawn.

**MR. AKERS-DOUGLAS** moved the rejection of Clause 13, for the purpose of asking the Under-Secretary whether on reflection he did not think that the penalty under this clause was a very stringent one and one which might fall very harshly on innocent persons. He had no sympathy with the professional beggar, or with those who hired children for the purpose of begging, but he had great sympathy with persons who might be affected by the other ten lines of the clause. The question he wished to ask was how the hon. Gentleman defined the word "allows." He assumed that he meant "wilfully allows." That was to say that the person having the custody, charge, or care, of the child was fully acquainted with the fact that the child started out to beg. Let him take a concrete illustration. Let the hon. Gentleman assume that there was a widow who kept herself and her two or three children by her needle. The children went out into the street to play, and without her knowledge solicited alms, by singing or playing or performing, and brought themselves under the terms of this clause. It struck him that it was a great hardship to inflict on the widow anything like the penalty of £25 or three months imprisonment. The woman in that case had no guilty knowledge that the children were out for the purpose of begging. Although subsection (2), to a certain extent qualified his objection he did not think it in any way removed it. His attention had been recently called to the latter part of the clause by one of the best known London police magistrates, who pointed out to him the complete ignorance of many persons charged with these offences, and who said it was all very well to say that they were given the opportunity to prove the contrary, but that they did not know what to do in order to prove the contrary, and that very few of them knew what was meant when they were asked to give evidence. All he wished was to be assured that this clause would not be applied in such a case as he had suggested. He



that the child or young person was in any street, premises or place for any such purpose as aforesaid, and that the person charged allowed the child or young person to be in the street premises or place, he shall be presumed to have allowed him to be in the street, premises or place for that purpose unless the contrary is proved."

That was absolutely contrary to the principle of the English law. He challenged anyone to deny that it was one of the virtues of the English law that a man was taken to be innocent until proved to be guilty. Why should that principle be changed in this subsection? The Under-Secretary had already said that it was very difficult for the police to punish a person who they knew allowed a child to be in the street, because they could not absolutely prove that the parent or person in charge of the child had insisted on the child going into the street. He rather doubted that. He thought the police knew perfectly well whether people were in the habit of sending their children out. It was always difficult to prove a crime, and there must be many instances where there was no legal proof. That, however, was no argument for passing a clause which would inflict a great hardship upon people who really did not deserve any punishment. The age limit, it had to be remembered, had been increased to sixteen, and the clause would apply principally to the great cities. A boy of sixteen in London was no child. In nine cases out of ten he knew nearly as much on many subjects as any hon. Member in that House. It could not be said that a London boy of sixteen was a child, forced to do things against his wish. A widow who had to earn her own living might send her son, fifteen and three-quarters years of age, to a street where she had seen a notice "Boys wanted" in a shop window to see if he could get the situation. The boy might see a benevolent gentleman or lady and beg. Under this subsection the widow would be deemed to have sent the boy out to beg and be liable to a fine of £25 unless she could prove that she did not send him out to beg. How could she do that? Probably she would not know anything about his having begged, and how would she know when she sent him out that he was going to beg? This

kind of legislation was certain great hardship on many innocent people. The hearts of hon. Members rather ran away with their kindly feeling was so great that they would not allow them to exercise their judgment, and see that by ending the Bill to remedy every evil under the sun they might be inflicting great hardship on many innocent people. He could not conceive that the House would pass such a clause to pass. He did not think it would do much good, because it would be people who made a living by sending their children out to beg, and when it was so difficult to prove, when they got over a provision of this kind they would never get the real principle. But they would inflict a very great hardship on a great number of innocent people, and believing that on reflection the House would leave it out of the clause, he had much pleasure in its omission.

MR. R. DUNCAN (Lanarkshire) said it was not too often that he came to eye with the hon. Baroness. In this case he felt constrained to say so. The Bill all through was an experiment, and they all desired that the main principle should be of protecting young persons that they were safeguarded as respectable citizens. But here, where, they had to draw the line, it was a matter of common sense that they drew it. He supposed that the particular subsection had been passed hurriedly. It seemed very loose. Surely a person might be a woman, but the person was a child, and where a widow had a child, they were classed under the guardianship of "himself." He must consider what the motives and responsibilities were. Still, under this subsection, presumed to be sending a child out to beg without permission, perhaps for some or innocent reason. The Bill always assumed to aim at fairness. It was assumed that a person was innocent until he was proved to be guilty. The poor mother or father would be guilty without its being

*Sir F. Banbury.*

show that they had not sent the child out to beg. So far as his own personal experience was concerned, he could most emphatically confirm the statements that over and over again inspectors of various kinds had the greatest possible difficulty in dealing with just that class of person to whom the right hon. Gentleman on the front Opposition bench had referred a little while ago, namely, the class of person who professionally sent out children to beg. He thought it was that class of person that this subsection was aimed at. For himself, after careful consideration with magistrates and others, and with police officials of very great experience, personally he was quite certain that if this clause passed in its present form a very great deal of good would be done in clearing the streets of children who were sent out by persons, not their fathers and mothers alone, who got quite a large livelihood out of the miseries of little children in our public thoroughfares.

MR. RAWLINSON desired to support the right hon. Gentleman who had moved the Amendment, and he thought that they could hardly have stronger evidence of the non-party character of this debate than the fact of his having submitted an Amendment to this very clause. To send out a child to receive money might be improper, but was it proper in such circumstances that a person should be liable to a penalty of £25, or three months' imprisonment? He submitted, without the slightest hesitation, that it was an excessive and ridiculous punishment, to pass upon such a person. It was so easy to excite prejudice against one who sent out a child for the purpose of making money out of him; it was so easy to appeal to sentiment, which, if he might say so with respect, frequently attracted that House as well as other audiences. But the subject should be looked at from the other side and from the point of view of the people who did this sort of thing. Where a father or mother was ill or in want of money, was there any very great harm at Christmas time in their sending the children out to sing carols and bring a little money into the family exchequer? He submitted that the case should be dealt with more equitably. He had very

little sympathy with this class of legislation which made sentimental appeals to them to make things criminal offences because they disliked them. He would have great pleasure in supporting his hon. friend in his objection.

\*SIR J. JARDINE (Roxburghshire) said there was such a thing as right sentiment, and recent legislation had endeavoured to prove to people that the proper place for children was in the school and not in the street singing or doing other things with the object of getting money. It was clear from the wording of the clause that £25 was the maximum fine. No doubt cases had occurred in which wicked people had been using children for the purpose of putting money into their own pockets, and not for the benefit of the children themselves. If an aggravated offence were proved, the magistrates would be justified in inflicting a high fine in order to take that money away from the person who had wrongfully gained it. The clause, however, did not impose such high penalty in ordinary cases, and he had no doubt from his own experience that magistrates would often let the offenders off with a fine of 10s. 6d. according to the circumstances knowing as they did that justice had to be tempered with mercy.

Amendment negatived.

SIR F. BANBURY moved the omission of subsection (2) of Clause 13. He said he rather disagreed with his right hon. friend so far as subsection (1) was concerned. He was rather inclined to support that subsection because it carried out the old principle of the English law that a man was innocent until proved to be guilty. They were, of course, all desirous of stopping people hiring young children and making a living out of their begging, but they ought to prove a person was guilty before they punished him. It ought to be assumed in this as in every other case that a person was innocent till he was proved to be guilty. This subsection did absolutely the reverse. It said that—

“ If a person having the custody, charge, or care of a child or young person is charged with an offence under this section, and it is proved

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and left a child somewhat carelessly, and without taking what some magistrate might think reasonable precautions against the risk of the child getting burned or scalded, should be fined any sum up to £10. She could not find the money and would be sent to prison and the children would have to be provided for by the State. The section, although amended and improved was still crude, and was one which the House should not affirm.

MR. CARLILE, in seconding, said the clause as it stood seemed to deal only with one side of the dangers in connection with burning. One of the principal dangers was the inflammable nature of the clothing worn by young children, which was so frequently the cause of their being burned to death. The expression "open fire grate insufficiently protected" seemed to be very vague. A woman might be working in another room and she might leave the open fire grate carefully covered by an efficient guard which some other person might remove in her absence. The result might be that a young child left in the room was burned to death, and then the mother in the next room, unconscious of what had happened, was to be held responsible and liable to the penalties imposed by this clause. [Cries of "No, no."] It seemed to him that those facts ought to be carefully considered, and the position of a mother in those circumstances should be safeguarded against the interference of a third party. He also thought that some provision should be made for condemning the highly inflammable character of clothing worn by young children.

Amendment proposed—

"In page 9, to leave out Clause 14."—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said that this clause was one to which the Government attached the greatest importance, and he regarded it as one of the most valuable features of the Bill.

*Mr. Rawlinson.*

It was a most necessary clause. There were in England and Wales every year over 1,400 cases of children being burned to death from unguarded fires, and the statistics disclosed only a small fraction of the suffering which attended this cause.

MR. CARLILE asked if the 1,400 were cases of unguarded fires.

\*MR. HERBERT SAMUEL said his recollection was that they were.

MR. GUINNESS asked if the clause included lamp accidents?

\*MR. HERBERT SAMUEL said he did not think lamps were included in the clause. The statistical tables were not very complete. There were many cases of children severely burned and permanently disabled although not attended with fatal results. The coroners of the country were continually drawing attention to this. He quoted expressions of opinion on this subject from the coroners of Bromwich, Manchester, Liverpool, and Dublin, and, so far as one could judge from the expression of opinion, the clause was generally approved of. Cases might arise in which well-to-do persons whose children were burned to death would be prosecuted for not taking precautions of the kind mentioned in the clause. He did not think the clause was oppressive as applied to poor people. When the Bill was before the House he had displayed on the table a small lamp which could be bought for a shilling, and he said surely the saving of a child's life was worth a shilling. It was a strange thing to say that a person was not to leave a child alone in a room unprotected from fire without taking precautions of any sort and to be held in no way responsible if the child was burnt to death. The hon. member opposite said they were not introducing a novel principle in this Bill, that it was an unheard-of thing to provide that an act which was itself not criminal should become criminal if disaster followed. Although not a lawyer he could quote many instances of this kind. A

### Amendment proposed—

"In page 9, line 24, to leave out subsection 2 of Clause 13."—(Sir F. Banbury.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. CHERRY said the hon. Baronet would not be surprised that the Government could not accept the Amendment. It was quite true that according to the ordinary practice of the law a man was presumed to be innocent until he was proved guilty, but there were many cases under the existing law where, owing to the difficulty of formal proof of particular facts the onus of proof had been by legislation shifted to the accused, and this was a case of the kind. It had been done in the case of the adulteration of food, and of dealing with stolen property where the person in possession of stolen property was presumed to have stolen it unless he could explain where it came from. There were hundreds of instances where any person of ordinary knowledge would have no moral doubt whatsoever that the child had been begging with the sanction and knowledge of the parent and that the money which the child received went direct to the parent, but still the police would have an almost impossible task in proving knowledge of the fact that the child was begging. The object of the second subsection was really to make the first one workable. The common sense of magistrates might be relied on not to convict in cases where there was the slightest suggestion of innocence on the part of the person. Instances constantly occurred where a child was begging day after day. The knowledge of the parent might be very reasonably presumed, and the onus might be shifted on to him of showing that without his knowledge the begging took place. For these reasons he asked the House not to accept the Amendment.

Amendment negatived.

MR. RAWLINSON moved to omit Clause 14. It had been considerably amended in Committee, and it had been improved from his point of view by those Amendments. But, in spite of the Amendments, it was a clause

which the House should not pass. It was entirely a new piece of legislation, and was wrong in principle and wrong in desirability. It was no offence to leave a child in a room with an unguarded fire or an unguarded kettle. It was only where the child was killed or suffered serious injury from being left in that position that it became an offence. The fact that the child was injured was in itself probably sufficient punishment for most careless people, and to impose a fine of £10 was rather an objectionable form of legislation. But one went a step further. If the child was killed there was already a remedy, the person in charge being guilty of manslaughter. It had slipped out from the hon. Member for Portsmouth, who spoke with experience as a coroner, that there was great difficulty in getting a jury to find a verdict of manslaughter against a mother. The object of the section was to remove the question from a jury and leave it to be dealt with by magistrates. He objected very much to that, and would much prefer the verdict of a jury who were much more likely to know the circumstances of the particular person and whether he was guilty of negligence, than a magistrate who might or might not have preconceived views on the point. The section was aimed solely against the ordinary poor person. It was an extraordinary thing that this Parliament certainly hit harder and more harshly against the working classes than probably any Parliament we had had for a long time, and that there was hardly anybody who could voice the feelings and expressions of that class. Their representatives were very rarely present on these occasions, and those who carried on these discussions were men like the hon. Member for Bath, whose wholeheartedness nobody doubted. He was afraid on this Bill he was in the position throughout of *advocatus diaboli*, for the real working classes of the country were so very little represented in that House—he did not mean the trade unionists, but the real people who worked, on whom obviously a great injustice was being inflicted. The clause simply hit poor persons. No rich person would be likely to be hit by a penalty of £10—it would be nothing at all to him—but it was a glaring injustice that a person who had gone out



the clause applied to all householders. That was perfectly true, but what made it class legislation was not the enactment of the clause—that was an academic affair—but the penalty attached to it. How could the hon. Gentleman pretend that the effect of this clause was the same in the case of the rich man as in the case of the poor man? He did not mean “rich” as the word was often used, and as it was used the other day by the Chancellor of the Exchequer in describing multi-millionaires. How could it be said that a clause like this which imposed a fine of £10 was the same in the case of the rich man as in the case of a working-man?

MR. HERBERT SAMUEL: The clause does not impose a penalty of £10.

MR. WALTER LONG said he was not suggesting that a penalty of £10 would be imposed, but that the argument of his hon. friend behind him was correct that in the case of a penalty of 10s. or 5s. instead of £10 the burden on many of the people to whom the Act would apply would still be a great matter. The hon. Gentleman sought refuge in the fact that it was only a maximum penalty of £10. But supposing the magistrates reduced the penalty to 1s. that would add a burden to the ordinary small householder which might be felt a great deal more than a fine of £10 to a rich man. He thought that made the clause class legislation and nothing else. He himself believed that this was a kind of class legislation which was thoroughly bad. He believed that if it was true that parents were guilty of the gross neglect which the hon. Gentleman said they were guilty of, the proper, courageous, and honest course for Parliament to take was not to impose fines of this kind surrounded by all sorts of difficulties, but to alter the law in regard to manslaughter. If it was true as the hon. Gentleman had practically told the House, that children met their death through the neglect of their parents, let the offenders be convicted of manslaughter and sent to prison. He did not challenge the facts given by the hon. Gentleman, but until the penalty was made the same all round for rich and poor they could not escape

*Mr. Walter Long.*

the charge that this was class legislation pure and simple. He did not to say that this clause quite at its merits and the general underlying the Bill, was one unjust to poorer classes in this country.

\*MR. HERBERT SAMUEL understood the right hon. Gentleman to say that £10 is too severe a penalty and that it ought to be made manslaughter.

MR. WALTER LONG: I said it was of the kind.

MR. H. J. TENNANT said he did not agree with the right hon. Gentleman opposite. He thought the right hon. Gentleman was mistaken in the view he had adopted towards this clause. It seemed to him to be almost impossible to make laws for the prevention of accidents which should be equal in incidence as against rich and poor. The clause was absolutely equal in incidence. He thought the right hon. Gentleman had forgotten to read the clause which said that the fire-grate must be sufficiently protected, but that reasonable precautions must be taken against risk of fire. He was sure that the right hon. Gentleman would be the first person to say that the working classes were as responsible as the rich to protect their children against that risk. If they were going to protect the lives of those children, he followed that they must invent some means of doing so, and that the law must operate equally as against rich and poor. It had been said that the clause was heavier as against the poor, but he could not help that; it was the circumstances. He thought it was wrong to bring the point too much to say that it was class legislation. The right hon. Gentleman had suggested the removal of the stringency of the criminal law. He did not himself think that that would do. He thought that a penal clause of the kind proposed by this Bill would be more likely to make people take precautions for the protection of children than any other course they were likely to enact.

SIR F. BANBURY said the right hon. Gentleman opposite had said

not class legislation. In his own house the hon. Member would have a fire-guard or a well-paid nurse, but in the house of a country labourer there would be no fire-guard. He had not seen the 1s. guard which had been referred to, but he did not think it would be efficient very long. If a 1s. guard was put in a labourer's cottage it would be broken almost immediately, and a labourer receiving 14s. a week would not be able to get another one. What reasonable precautions would the labourer have to take to meet the requirements of the clause? When the mother went upstairs to clean the bedroom the children would be left downstairs in the only room in which there was a fire. A child would begin to play with the fire, and it would get burned. That child was in a different position from the child of the hon. Gentleman. The hon. Gentleman would have a nurse and an efficient fire-guard costing not a 1s. but £2 or £3. He maintained that this was class legislation, because it put an obligation on poor people which they were not able to carry out. Nobody deplored more than he or his right hon. friend did that children died under these circumstances. He could not believe that any Member of the House supposed that the passing of this clause would diminish the number of deaths from burning. What the clause would do would be to put on fathers and mothers who were already suffering grief and pain for the loss of a child the pain of being taken before the county bench and of having to pay out of their small earnings for not having taken proper charge of the child, besides being subjected to the odium of the charge.

MR. WYNDHAM (Dover) said he was sorry to differ from the hon. Member for Berwickshire, who was deeply interested in these matters. In his defence of the clause the hon. Member went nearer than anyone else to show how totally illusory and unworkable it was. The clause consisted of two parts. The first part dealt with the fire-guard, and the second with "taking reasonable precautions." As it must be administered if it became law, any person having the care of a child would be required to have a fire-guard, and if he had a fire-guard of a certain cheapness and pattern, all would be well. Nobody would be ex-

pected to buy an expensive guard. Some enterprising firm would put a cheap fire-guard on the market, and a parent if he got such a fire-guard for 9d. or 1s. would not trouble himself further. In the second part of the clause, reference was made to "taking reasonable precautions" if there was no fire-guard. How could a parent take reasonable precautions against a child being burned? What kind of law was to be applied according to judicial precision? It might be pleaded that telling a child not to go near the fire was a reasonable precaution. They all agreed that the loss of a child by fire was a terrible thing, but he did not think it could be met by the clause as it stood. The Minister in charge of the Bill had said that there was nothing novel in the clause, and he cited certain curiosities of the law in regard to the difference between murder and manslaughter in cases arising from death by fire. The clause would introduce into every poor home a curiosity of the law far more extravagant than any now existing. The Minister in charge of the Bill also urged that the clause would be a most effective way of warning the careless of the terrible penalty which they would incur, not that provided for in the Bill, but in the remorse they would feel for the rest of their lives if a child died on account of their neglect. That was the most effective plea which the hon. Gentleman had put forward; but the parent might say that he never thought of that or what risk he was incurring in not having a fire-guard. Mothers were accused of being nervous and fidgety, but if they were as careless as was alleged by some, no child would survive beyond five years of age. The difficulties in the homes of the poor arose from the distraction caused by other duties than the constant care of the children by the mothers, the difficulties of the dinner having to be cooked, etc., and if any failed through negligence it might be because this clause added to the stock of distractions that they might be haled up before a Court of Justice and have a black mark put against their name of having been guilty of the manslaughter of their child. It might be possible that the amendment of the law of manslaughter would touch those who were callous custodians of their children, but 999 out of 1,000



parents were not callous, but simply distracted by the cares of home.

MR. BRAMSDON said he disliked very much repeating in one evening what had been said two hours before, but as he was the only coroner in the House at present—there were only two of them—who had had practical experience of this terrible question he might be allowed to say a few words in explanation of the reasons why he supported this clause, in the hope that he might throw a little light on the subject under discussion. He had held inquiries concerning hundreds of cases of the death of children by burning, and his heart had bled at seeing the horrible spectacles brought before him. His experience was similar to that of every coroner in the United Kingdom. The clause came before the House with the approval and sympathy of every coroner, and he ventured to say that if hon. Members could only come round with him a few times when engaged in his official duties they would support the clause. This was not a part of the Bill which affected the poorer classes only. He had held inquests on the children of well-to-do people, and that was an argument in some cases in favour of increasing the penalties rather than of making them less. There was a well-known case not very long ago in which the parents, having gone out, locking the door, the children were seen a little while after at the window burning, and the neighbours were unable to get up to the children, and nothing could be done to rescue them. The fact was that the parents were away gossiping, and had taken no particular care of the safety of their children. He remembered the Lord Advocate telling, during the Second Reading debate, of a somewhat similar instance having taken place in Edinburgh. Was nothing to be done to stop that sort of thing? Let them call it grandmotherly legislation, and talk of the cost of a fire-guard as a burden on the poor if they liked, but surely it was desirable to try to stop the sacrifice of child life, and the shilling fire-guard would do much in that direction. He was present when his hon. friend had produced a specimen fire-guard in Grand Committee. It was a very good guard, and in his opinion would be very effective.

*Mr. Wyndham.*

He had never held an inquest cause of death of a child from where there had been a fire-guard house. If the presence of a fire-guard house would be the means of child life, ought they not as legislators do what they could to save the child? His hon. friend had objected to a number of cases of death of child by burning which had been quoted. He thought the House was aware that the clause under discussion formed the clause of the Bill which he had introduced last year. The figures were correct, and resulted from the inquiry made by the National Society for the Protection of Children. During the last year hundreds of resolutions were passed at meetings throughout England begging the Secretary to introduce this measure, and pass it into law; and he knew very well that there had never been any opportunity to it at any meeting where the subject had been properly explained. He thought that the magistrates were most to be trusted in the administration of the law, and they could be trusted to pay the attention to the circumstances of each case, the parents and the amount of care proved against them.

SIR SAMUEL SCOTT (Mary W.) said he did not intend to follow his hon. friend in his argument in favour of the clause. His reason for rising to ask a question of the hon. Member in charge of the Bill, as he thought the clause was somewhat vague. The hon. Member said—

“If any person over the age of sixteen who has the custody, charge or care of a child under the age of seven years,” &c.

The hon. Member was aware that in cases in the houses of the poor the children who had been all the day looking after the house and the children had been out to do some shopping, and the children were left in charge of a child when they came home from school—a child who might be only thirteen, or fourteen years of age. If a child under seven was left in the charge of a person under sixteen years of age, and anything happened to it, was the person liable to a fine of ten, twelve, or fourteen pounds? What was the meaning of the words “custody, charge or care”?

\*MR. HERBERT SAMUEL said the words "custody, charge, or care" appeared in all the Cruelty to Children Acts, and were well understood. In such a case the parent would be liable.

MR. WALSH (Lancashire, Ince) said if there was any one clause in this Bill upon which any person could give a definite vote, it was this clause. A point had been raised that this was class legislation, but that did not seem to him to be of importance at all. The question was, was it legislation that was required, was it legislation that was wanted? He thought that it was. For a good deal more than a score of years the coroner for North-West Lancashire had urged upon Parliament the necessity for legislation, as there had been scores and scores of cases of children who had come to the most terrible deaths, viz., that caused by fire where it had not been properly safeguarded, and the little inflammable shirt had caught fire. It seemed to him that this clause would do good if it developed a higher sense of parental responsibility. He did not think it would lead a great deal to parents being summoned or brought before Courts, but the result would be that every parish council, every district council, and all the authorities of that kind would co-operate to bring to the notice of parents the new condition of things. Up to now there had been no authority on the part of anybody. Coroners had protested and cried aloud in vain, as they had no power to enforce anything, nor had any other person. If, however, some definite public authority could come to the assistance of parents and warn them to realise their responsibility, then he thought they would see, if not the end, a great decrease in this awful mortality. He had had some considerable difficulty in reconciling himself to several aspects of this Bill, but this was one to which he could not think that there would be any serious objection, because it had purely and simply for its object the saving of infant life. There was some attack to the effect that Labour Members were not there in large numbers to safeguard the interests of the working classes, but surely if there was one matter upon which the working classes were unanimous, it must be upon the necessity for such a measure as this. Upon the dis-

puted medical point as to whether a very small drop of intoxicating liquor might or might not do a child harm, or whether juvenile smoking would cause national deterioration, there would be a good deal of room for difference of opinion, but on a clause like this he did not think any person who knew the conditions of life of our large and crowded centres of population, and who knew the fact that year after year hundreds, if not thousands, of children's lives were sacrificed, because of the difficulty under which the household was carried on—he did not think there could be any room for difference of opinion as to the necessity of a clause such as this, and he for one would have the heartiest possible pleasure in supporting it.

MR. THEODORE TAYLOR did not think he could allow this discussion to go by without saying one word about the flannelette question, which, as had been stated, was a very great cause of death to women and children. Flannelette was an article largely worn by all classes of the community, but particularly by the poor, and he was glad to find that the Under-Secretary had given some attention to the question in regard to it. He would, however, urge upon hon. Members that the question must be dealt with, because there were methods of making flannelette non-inflammable. He was not there to advocate any particular means, but there were methods known to science by which that very inflammable article of children's dress could be rendered innocuous in that respect. He thought the hon. Member was quite right in saying that it would be found to be the case that the major part of the 1,400 children's deaths was due to that material, and that if their clothes had been treated with one or other of those processes the accidents would not have happened. He knew what he was talking about and he thought the public authorities and Parliament should take note of the fact that there were now known to science methods of making cotton clothing absolutely non-inflammable. If some law could be passed by which no inflammable article of clothing of that kind should be allowed to be worn by children in particular without the necessary treatment it would be a very great boon to humanity. He believed in this Bill and in this clause, and if in

addition to this measure some further provisions relating to the protection of children's clothing from taking fire were to be adopted by and by they would save a great many additional lives. As the hon. Member for St. Albans had said, these burnings did not all come from fires alone, they came from lamps, matches, and all kinds of things, but still this was a way of preventing part of this great loss. He was sure, however, they ought to go further.

\*SIR W. J. COLLINS (St. Pancras, W.) said that perhaps he might be allowed as a hospital surgeon who had seen a great many cases of burning of children, fatal and non-fatal, to add a few words. Even in the non-fatal cases there was nothing more painful to witness than the serious distress and disturbance caused by burning or scorching, but he wished to put in a word of warning in regard to this clause because he was not sure that there were not some hon. Members who assumed that the 1,400 cases of deaths of children from burns and scalds would be entirely obviated by it. On going round his wards that day he found two cases of burning or scalding of children, of which he inquired the cause. The first was a case in which the child had been left in a room alone with a box of matches, and using the matches had set fire to its clothing, and that would not be prevented by this clause. In another case the child took hold of a saucepan containing boiling fluid and upset it over itself. Therefore, hon. Members who assumed that these 1,400 cases of death could all be prevented by the clause were drawing somewhat upon their imaginations. He agreed that the clause might be a step in the right direction, but he thought that giving the opportunity to the working classes who had to be away during the day to put their children into creches where they could be managed and taken care of was the more correct mode of solving the problem.

\*MR. REES said that this was obviously not class legislation because it applied equally to all, and it was equally obvious that it could affect only the poor. He denied that all the coroners were in favour of the Bill and quoted from a letter to *The Times* from the coroner of Surrey to the contrary effect. This was the third crime created that night, and he

*Mr. Theodore Taylor.*

really thought it was worth while the Under-Secretary regarding figures to which he referred. On coroners, in an interesting examination of the statistics which had been published for 1904, and that was 1,122 for the whole of England and Wales, including adults, showed that these figures related only to the cases of scorching or burning to which they had been that night to refer. It was no more, superfluous to intervene, no purpose of supplying information, the purpose of asking for it from a quarter from which this very important proposal for good or ill was to proceed. What was a poor woman who had only one room and several children? While she was nursing a child and cooking the dinner, might fall into the fire. Was it for her to allow them to remain in that only room she had. [AN HON. MEMBER: She is there herself.] She was there herself, and was nursing one child and cooking the dinner. If one fire had been kindled against another, and it hit the kettle and overturned it, an unfortunate woman to be made a widow. Surely it was necessary to take account of the special circumstances of the people to whom legislation of this kind had particular, indeed exclusive application. After all was said and done, he himself did not believe that a fireproof screen that was anything more than a pretence could be bought for a poor person. But if it could, it was not fair to require it for poor people in this way. From what he had seen of the poor he thought the clause would hit them rather hard, and therefore hoped the Under-Secretary would be kind enough to enlighten them upon the figures which he had given, say if the coroner of Surrey, and the Duchy of Lancaster was his observations upon the statistics which had been read to the House.

MR. RAWLINSON admitted that this clause was a fair sample of the Bill. The speeches that had been made in favour of it were strong speeches, and the effect that the evil existed. The sympathies of the House had been excited by the pictures painted of the children who suffered from burning, but the figures given by the Under-Secretary were given in a very loose form.

the number of accidents from burning resulting from open fires was very much in doubt, and the figures put forward by the Government could not be supported. It was easy to draw a terrible picture of little children under seven years of age being burned, and nobody was more anxious than himself to prevent any injury to children by burning or otherwise. But the point he wished to make was that this clause would not remedy the evil, but on the contrary only work a great injustice on the real working people of the country. Some hon. Members seemed to think that the Bill made it an offence to leave a fire unguarded so that if the local authority knew of it they could come to the particular house and say "You have acted improperly, you must have your fire guarded by a guard, price 1s., on the recommendation of the Home Office." That was not the fact at all. There was no suggestion of that. It was not made an offence to leave a fire unguarded. What was done by this clause, the very worst form of legislation, was to say that if one had the misfortune to leave a fire unguarded, and one's child was severely injured, then the parent who had not the sense to prevent her child being burned in her absence, and who had already been sufficiently punished by the injury done to the child, was to be summoned and subjected to penalties. Legislation of that kind would not prevent children being burned, and when they were the parents were to be brought before the police court and sent to gaol. He

ventured to submit that that kind of legislation was thoroughly bad, and that the House ought to oppose the section. Further than that he did not believe in the saving clause which said that if a fire was properly guarded there should be no offence. He believed fire-guards existed, but he did not believe any benefit could exist in the homes of the poor, either from the utility or the purpose of such fire-guards. He was no expert in fire-guards, but he knew something about children, and he knew that a 1s. fire-guard would not last very long in a house full of children. But apart even from all that, a fire-guard would not in his opinion prevent injury to children from burning. This, however, was not his real reason for objecting to this measure. His objection was that he did not believe the House would protect children from injury of this kind by making more criminals. One hon. Member had spoken from the point of view of the evil as seen by the coroners of the country. He himself spoke from the point of view of one who had seen the inefficacy of criminal law in the case of laws of this kind. He, therefore, asked the House to hesitate before they added another senseless crime to those with which the Courts had now to deal. He attached great importance to this as, in his opinion, this was an extremely dangerous clause.

Question put.

The House divided :—Ayes, 177 ; Noes, 30. (Division List No. 246.)

#### AYES.

Acland, Francis Dyke  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Allen, A. Acland (Christchurch)  
 Armstrong, W. C. Heaton  
 Asquith, Rt Hon. Herbert Henry  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barry, Redmond J. (Tyrone, N.)  
 Beacuham, E.  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Black, Arthur W.  
 Bottomley, Horatio  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William

Bramsdon, T. A.  
 Brigg, John  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Carr-Gomm, H. W.  
 Causton, Rt Hon. Richard Knight  
 Cherry, Rt. Hon. R. R.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Corbett, CH (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Cox, Harold

Curran, Peter Francis  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Elibank, Master of  
 Essex, R. W.  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fell, Arthur  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Furness, Sir Christopher



Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Greenwood, G. (Peterborough)  
 Griffith, Ellis J.  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holden, E. Hopkinson  
 Holland, Sir William Henry  
 Horniman, Emslie John  
 Hudson, Walter  
 Idris, T. H. W.  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jardine, Sir J.  
 Johnson, W. (Nuneaton)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lehmann, C. R.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice

Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Micking, Major G.  
 Marks, G. Croydon (Launceston)  
 Marnham, J. F.  
 Massie, J.  
 Molteno, Percy Alport  
 Montagu, Hon. E. S.  
 Morgan, J. Lloyd (Carmarthen)  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Ponsonby, Arthur A. W. H.  
 Price, Sir Robert J. (Norfolk, E.)  
 Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Richards, T. F. (Wolverh'mpt'n)  
 Ridsdale, E. A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roe, Sir Thomas  
 Ronaldshay, Earl of  
 Rose, Charles Day  
 Rowlands, J.  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Sherwell, Arthur James

Shipman, Dr. John  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. Jo.  
 Smeaton, Donald Mac  
 Spicer, Sir Albert  
 Steadman, W. C.  
 Stewart-Smith, D. (F.)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Taylor, Theodore C. (F.)  
 Tennant, H. J. (Berw.)  
 Thomas, Abel (Carmarthen)  
 Thompson, J. W. H. (Sc.)  
 Thorne, G. R. (Wolverh'mpt'n)  
 Thorne, William (Wolverh'mpt'n)  
 Tomkinson, James  
 Toulmin, George  
 Wadsworth, J.  
 Walsh, Stephen  
 Ward, John (Stoke-upon-Avon)  
 Wardle, George J.  
 Wason, John Cathcart  
 Waterlow, D. S.  
 Wedgwood, Josiah C.  
 White, J. D. (Dumfries & Galloway)  
 White, Luke (York, E.)  
 Whitehead, Rowland  
 Whitley, John Henry  
 Whittaker, Rt. Hn. Sir  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Wilson, J. H. (Middlesex)  
 Wilson, P. W. (St. Paul's)  
 Wilson, W. T. (Westbury)  
 Wood, T. M'Kinnon

TELLERS FOR THE  
 Mr. Joseph Pease  
 Herbert Lewis.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Banbury, Sir Frederick George  
 Barrie, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Douglas, Rt. Hon. A. Akers-  
 Fetherstonhaugh, Godfrey

Fletcher, J. S.  
 Gretton, John  
 Harris, Frederick Leverton  
 Hay, Hon. Claude George  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Joynson-Hicks, William  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Rt. Hn. Walter (Dublin, S.)  
 MacCaw, William J. MacGeagh  
 Nield, Herbert  
 Rutherford, W. W. (Liverpool)

Salter, Arthur Clavel  
 Scott, Sir S. (Marylebone)  
 Talbot, Lord E. (Chichester)  
 Walrond, Hon. Lionel  
 Wortley, Rt. Hon. C.  
 Younger, George

TELLERS FOR THE  
 Mr. Rawlinson  
 Carlile.

SIR F. BANBURY moved to leave out Subsection (2) of Clause 16. He had every sympathy with the first subsection of the clause, and had nothing to say against the penalty to be inflicted. He thought the second subsection, however, was unnecessary. It said that—

“For the purpose of this section a person shall be deemed to have favoured the seduction

or prostitution (as the case may be) if he has conduced thereto by knowing or believing the girl to consort with or to continue in the employment of any person or person of a notoriously immoral character. He objected to that subsection, because it was opposed to the principle of the English law that a person should be deemed to be innocent until proved to be guilty. There was

who would not agree that the favouring of the seduction of a girl under sixteen was a very serious offence, but there was no reason why the law should be altered and a person charged with such an offence deemed to be guilty instead of having to be proved to be guilty. Secondly, he objected to the last five or six words of the subsection, viz.: "or person of a notoriously immoral character." What did they mean? If the father of a girl under sixteen allowed her to go into the service of a family, and one of the family happened to be a person of a notoriously immoral character, he would be deemed to be guilty, and would be liable to two years hard labour. The onus of proof was not put upon the prosecution. Who was to prove what the words "of a notoriously immoral character" meant? A number of people in the House held different views as to what was notoriously immoral. Some people had very strict views and others were a little lax; and to insert vague words of this character into a Bill and attach a penalty of two years hard labour seemed to him legislation which should not be allowed to pass. There was no definition of the words in the clause. He presumed the Under-Secretary did not know what they meant, and that it would be left to Judges to interpret them. Consequently they would have all sorts of interpretations. One Judge might hold a person who drank to be a notoriously immoral person and another Judge might take another view altogether. He hoped, if the hon. gentleman was unable to accept his Amendment, he would put in some Amendment of his own defining what he meant by "notoriously immoral." Personally, he thought it was almost impossible to define what was meant.

MR. CHARLES CRAIG (Antrim, S.) seconded.

Amendment proposed—

"In page 10, line 24, to leave out sub-section 2. of Clause 16."—(Sir F. Banbury.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. CHERRY said it appeared to him that the second subsection made the clause very much more definite. It really gave a definition which was very much needed of the word "favour." The first subsection ran—

"If any person having the custody, charge, or care of a girl under the age of sixteen years encourages or favours the seduction or prostitution of that girl, he shall be guilty of a misdemeanour and shall be liable to imprisonment with or without hard labour for any term not exceeding two years."

Then the second subsection which the hon. Baronet moved to omit sought to define what "favouring" meant. It did so in language which was clear and distinct; and he could not see any ambiguity in it. It said—

"For the purpose of this section a person shall be deemed to have favoured the seduction or prostitution (as the case may be) of a girl if he has conduced thereto by knowingly allowing the girl to consort with or to enter or continue in the employment of any prostitute or person of a notoriously immoral character."

It would be necessary to prove that the child was not only allowed to go into the employment but also that the person in charge of her knew the character of the person into whose employment she had been allowed to go. That disposed of the first objection of the hon. Baronet that the subsection shifted the onus of proof. He could not see that it did so at all. On the contrary, it required very strict proof. The hon. Baronet also objected to the words "or person of a notoriously immoral character." He asked for a definition of them. They were almost identical with words in the Criminal Law Amendment Act, 1885, and during the twenty-three years that Act had been in force no question so far as he was aware had arisen as to their interpretation. Anyone understood them, and if they attempted any definition they would only involve themselves in very much more difficulty. Instead of the second subsection being in any way cumbersome, he thought it made the clause very much more definite.



LORD R. CECIL said he did not understand that his hon. friend desired so much to strike out the whole subsection as to draw the attention of the Government to the last five or six words of it. He could not quite agree that the second subsection made the first more definite. It was quite true it gave an instance of one particular kind of offence under the first subsection, but it did not put into clearer language the whole of what was contained in the previous subsection. On the contrary, the word "encourages" was left without any explanation whatever, and even the word "favours" was only defined to the extent that one particular instance of favouring was given in the second subsection. There was no complete definition. He could not therefore agree that the second made the first subsection more definite, but that was relatively a little point. He felt a little nervous himself about the concluding words "or person of a notoriously immoral character." They were alarmingly vague. If any old woman in the country sent her daughter up to London to go into service and in the place where she went there turned out to be a person of a notoriously immoral character, she would be liable under the subsection, although, living in the country, she knew nothing about it; all the word "knowingly" applied to was that of allowing the girl to consort, and "with a person of a notoriously immoral character" was the description of the person. Otherwise, there would not be any sense in putting in the word "notoriously." It would be enough to say "knowingly consort with a person of an immoral character." It did not make a person any more immoral because she was notoriously immoral, nor did it make her any more dangerous company for a young girl.

MR. H. J. TENNANT suggested that the word "knowingly" governed not only the "allowing of a girl to consort with," but also "of enter-

ing and continuing in the ment of a person of a no immoral character." He was whether the word "knowingly knowing that the character of th was immoral or knowing that was entering into the employm person of that character. Th was certainly one of a very character. There were two o to this kind of legislation. Th the chance that grave injustice committed by a person being by a tribunal as of a notoriously character who would not be so by the ordinary man in the There was much more serious the words were so vague that th authorities would not endeavour them in force, and they would re vague menace on the Statute Book by reason of its not being empl came more menacing to those to act under the statute. The A General for Ireland had qu Criminal Law Amendment Act and said that somewhat similar had not given rise to any c He had not made any study Criminal Law Amendment A his impression was that proceedings had been taken under words, and he suggested that th would be not less effective, but n dangerous if the last six words struck out. If there was a kind of person that the Governme had in their view against wh ought to be protected, let them s was in their mind. Of course, understood the danger of allowin persons of either sex to go i company of reputed thieves, but a different matter and was dealt other sections of the Bill. Wh had to guard against was consort prostitutes; the other words no definite meaning, and the Gov would be wise to agree to their c

MR. MACLEAN said with r the words "notoriously immoral,

before him the section of the Criminal Law Amendment Act, 1885, where they occurred. No difficulty whatever had arisen from the words "known immoral character." The words used in this clause were stronger. No cases had arisen, as far as his experience went, on the construction of these words, but he had known many cases under the section.

LORD R. CECIL: I think the hon. Member has great knowledge on this point. Will he allow me to ask him whether he knows of any case in which these words have been enforced for the purposes of the section?

MR. MACLEAN said he remembered a case of a girl or woman being of known immoral character so as to bring her within the section. It was disposed of without any difficulty at all. He did not say difficulty might not arise, but in those cases in which he had had experience no difficulty had arisen.

SIR F. BANBURY said he was not really enlightened by the explanation of the Attorney-General. The right hon. Gentleman said that subsection (2) was an interpretation of subsection (1.) He should

say it was nothing of the sort. Subsection (1) was exceedingly clear and subsection (2) defined one word only. Under subsection (2) a person was deemed to be guilty until he was proved to be innocent, whereas in subsection (1) he was deemed to be innocent until he was proved guilty, which was the English law. The Attorney-General passed that by and did not reply to the point at all. What he really objected to were the vague words at the end of the section, "a person of a notoriously immoral character." The Attorney-General had not attempted to define the words, but had referred to an Act passed twenty-three years ago, and he could not say whether any case had arisen under the Act to show whether there had been any difficulty in determining what the words meant. Even the hon. Member for Bath could not say that any case had arisen. He should have to go to a division unless he got an explanation from the Government or a pledge that they would define the last six or seven words of the subsection.

Question put.

The House divided: Ayes, 164; Noes, 29. (Division List No. 247.)

AYES.

Acland, Francis Dyke	Brace, William	Cotton, Sir H. J. S.
Acland, George William	Bramsdon, T. A.	Davies, Sir W. Howell (Bristol, S.)
Acland, A. Acland (Christchurch)	Brigg, John	Duncan, C. (Barrow-in-Furness)
Aquith, Rt. Hon. Herbert Henry	Burns, Rt. Hon. John	Dunn, A. Edward (Camborne)
Balfour, Robert (Lanark)	Byles, William Pollard	Edwards, Clement (Denbigh)
Barnes, Godfrey (Isle of Wight)	Carr-Gomm, H. W.	Essex, R. W.
Barker, John	Causton, Rt. Hon. Richard Knight	Evans, Sir Samuel T.
Berry, Redmond J. (Tyrone, N.)	Cherry, Rt. Hon. R. R.	Everett, R. Lacey
Beauchamp, E.	Clough, William	Ferens, T. R.
Benn, Sir J. Williams (Devonport)	Clynes, J. R.	Fiennes, Hon. Eustace
Benn, W. (Tw'r Hamlets, S. Geo.)	Cobbold, Felix Thornley	Findlay, Alexander
Bennett, E. N.	Collins, Stephen (Lambeth)	Foster, Rt. Hon. Sir Walter
Black, Arthur W.	Collins, Sir Wm. J. (S. Pancras, W.)	Freeman-Thomas, Freeman
Bostomley, Horatio	Compton-Rickett, Sir J.	Fuller, John Michael F.
Boston, A. C. F.	Cooper, G. J.	Fullerton, Hugh
Bourman, C. W.	Corbett, C. H. (Sussex, E. Grinst'd)	Furness, Sir Christopher

Gibb, James (Harrow)  
 Gladstone, Rt. Hon. Herbert John  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Greenwood, G. (Peterborough)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Holden, E. Hopkinson  
 Holland, Sir William Henry  
 Horniman, Emslie John  
 Hudson, Walter  
 Idris, T. H. W.  
 Jackson, R. S.  
 Jardine, Sir J.  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert

Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Micking, Major G.  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Molteno, Percy Alport  
 Montagu, Hon. F. S.  
 Murray, Capt. Hon. A. C. (Kincardine)  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pickersgill, Edward Hare  
 Price, Sir Robert J. (Norfolk, E.)  
 Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Richards, T. F. (Wolverh'mpt'n)  
 Ridsdale, E. A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roe, Sir Thomas  
 Ronaldshay, Earl of  
 Rose, Charles Day  
 Rowlands, J.  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)

Sherwell, Arthur Ja  
 Simon, John Allse  
 Sinclair, Rt. Hon. J.  
 Smeaton, Donald M.  
 Spicer, Sir Albert  
 Steadman, W. C.  
 Stewart-Smith, D. ( )  
 Strachey, Sir Edwa  
 Straus, B. S. (Mile )  
 Summerbell, T.  
 Taylor, Theodore C.  
 Tennant, H. J. (Ber )  
 Thompson, J. W. H. ( )  
 Thorne, G. R. (Wolve )  
 Thorne, William (W )  
 Tomkinson, James  
 Toulmin, George  
 Verney, F. W.  
 Wadsworth, J.  
 Walsh, Stephen  
 Ward, John (Stoke u )  
 Wardle, George J.  
 Wason, John Cathca  
 Waterlow, D. S.  
 White, J. D. (Dumb )  
 White, Luke (York )  
 Whitehead, Rowlan  
 Whitley, John Henr  
 Whittaker, Rt. Hon. Si  
 Wiles, Thomas  
 Williams, J. (Glanc )  
 Wilson, Henry J. (Y )  
 Wilson, J. H. (Midd )  
 Wilson, W. T. (Wes )  
 Wood, T. M'Kinnon  
 Younger, George

TELLERS FOR THE  
 Joseph Pease and  
 of Elibank.

## NOES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Carlile, E. Hildred  
 Cecil, Lord R. (Marylebone, E.)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hon. J. (Birm'gham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Douglas, Rt. Hon. A. Akers-

Gretton, John  
 Guinness, W. E. (Bury S. Edm.)  
 Harris, Frederick Leverton  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Houston, Robert Paterson  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 Long, Rt. Hon. Walter (Dublin, S.)  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Nield, Herbert

Rawlinson, John Fre  
 Rutherford, W. W. ( )  
 Salter, Arthur Clave  
 Scott, Sir S. (Maryle )  
 Talbot, Lord E. (Ch )  
 Walrond, Hon. Lion  
 Wortley, Rt. Hon. C

TELLERS FOR THE  
 Frederick Banbur  
 Fell.

And, it being Eleven of the Clock,  
 further consideration of the Bill, as  
 amended, stood adjourned.

Bill, as amended (in the Standing  
 Committee) to be further considered To-  
 morrow.

Whereupon Mr. SPEAKER, pu  
 the Order of the House of 31  
 adjourned the House, without  
 put.

Adjourned at two min  
 Eleven o'clock.

## HOUSE OF LORDS.

Tuesday, 13th October, 1908.

## RETURNS, REPORTS, ETC.

## AUSTRALASIA.

Correspondence relating to the naval defence of Australia and New Zealand.

## COLONIES, ANNUAL.

No. 577. St. Vincent (Report for 1907).

No. 578. Turks and Caicos Islands (Report for 1907).

No. 579. St. Lucia (Report for 1907).

## TRADE RECORDS.

Departmental Committee on Trade Records.—Report of the Committee appointed by the Board of Trade to consider and report how far any change is desirable in the form in which the trade accounts of the United Kingdom are published as regards the countries from which imports are received and to which exports are sent.

Minutes of evidence taken before the Departmental Committee on Trade Records, with appendices and index.

## RAILWAY ACCIDENTS.

Summary of accidents and casualties reported to the Board of Trade by the several railway companies in the United Kingdom during the three months ended 30th June, 1908, in pursuance of the Regulation of Railways Act, 1871, with reports to the Board of Trade by the inspecting officers, assistant inspecting officers, and sub-inspecting officers of the railway department upon certain accidents which were inquired into.

## LOCAL GOVERNMENT BOARD.

Thirty-seventh Annual Report for 1907-1908.

Presented (by command), and ordered to lie on the Table.

## INDIA.

Civil Service.—Examinations for admission to the Civil Service of India. Alterations in Regulations IV., V., VI. and VIII.

VOL CXCIV. [FOURTH SERIES.]

Loans raised in England.—Return of all loans raised in England under the provisions of any Acts of Parliament, chargeable on the revenues of India, outstanding at the commencement of the half-year ended 30th September, 1908, with the rates of interest and total amount payable thereon, and the date of the termination of each loan, the debt incurred during the half-year, the moneys raised thereby during the half-year, the loans paid off or discharged during the half-year, and the loans outstanding at the close of the half-year; stating, so far as the public convenience will allow, the purpose or service for which moneys have been raised during the half-year.

## SHOP HOURS ACT, 1904.

Closing Order made by the Urban District Council of Enniskillen.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

## BUSINESS OF THE HOUSE.

THE MARQUESS OF LANSDOWNE: My Lords, I should like to ask the noble Earl who leads the House whether he is in a position to tell us anything as to the arrangements for the conduct of business during the next few days.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, we were in hopes that the Children Bill would have passed through its last stage in another place to-day. I understand there is still some hope that that may be the case. The debate seems to have been rather longer than was originally expected, and it is not quite certain whether the Bill will be able to pass its final stage in the other House to-day. If it should come up I would suggest that there should be a formal sitting of the House to-morrow, in order that it might be read a first time and be printed and distributed to your Lordships. In that case we could hope to take the Second Reading on Monday; but, if not, there appears to be no business that could be conveniently taken before next Tuesday, and in the event of the Children Bill not coming up I would suggest that we should not sit again for business until Tuesday, the 20th inst., on which day the

Nurses Registration Bill would be taken. I understand that there will be Motions or Bills upon the Paper for every day next week, and there are certain Bills in the hands of private Members which I would venture to suggest those in charge of them might be willing to put down for an early date. Those Bills are the Movable Dwellings Bill, the Local Authorities (Admission of the Press) Bill, and the Thrift and Credit Banks Bill, which, I understand, is waiting until certain negotiations have taken place between interested parties. That Bill, your Lordships will remember, was one which was brought forward by Lord Wenlock in the Summer Session, and upon which a considerable amount of discussion followed. There is also the Law of Distress (Amendment) Bill, which Lord Courtney has been asked to put down for an early day. I would venture also to suggest that noble Lords who desire to raise questions likely to lead to at all prolonged debate on any matters of public interest should, if they think fit to do so, put them down for an early date, because we had some experience in the summer of questions being raised and leading to very interesting discussions at a time when there was a considerable pressure of public business. So far as regards the Government's Bills, I hope that the Education (Scotland) Bill will reach us not later than the second week in November, and it is understood that the Licensing Bill will arrive here in the course of the week after that. I think that is as much information as I am in a position to give your Lordships at this moment.

**THE MARQUESS OF LANSDOWNE:** I do not think the noble Earl mentioned one Bill in which I know some Members of the House take great interest—the Bill for the Housing of the Working-classes in Ireland.

**THE EARL OF CREWE:** I am obliged to the noble Marquess for reminding me. It is proposed that the Committee Stage of that Bill should be taken on Thursday of next week.

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter past Four o'clock.

## HOUSE OF COMMONS

Tuesday, 13th October, 1907

The House met at a quarter of Three of the Clock.

## PETITIONS.

## LICENSING BILL.

Petitions for alteration: From Fletton; and, Peterborough (two) upon the Table.

Petitions in favour: From Llanwenarth; and, Llanynnydd; to lie upon the Table.

## POOR LAW AMENDMENT (SCOTLAND) BILL.

Petition from Kirkwall and Orkney in favour; to lie upon the Table.

## PREVENTION OF CRIME

Petition of the Persona Association, against; to lie upon the Table.

## WOMEN'S ENFRANCHISEMENT

Petition from Fleet, in favour; to lie upon the Table.

## RETURNS, REPORTS,

## COLONIAL REPORTS (AND OTHERS).

Copies presented, of Report for 1907 (St. Vincent, Report for 1907), 578 (Turks and Caicos Islands, Report for 1907), 579 (St. Lucia, Report for 1907) [by Command] upon the Table.

## AUSTRALASIA.

Copy presented, of Correspondence relating to the Naval Defence of Australia and New Zealand [by Command]; to lie upon the Table.

## TRADE RECORDS (DEPARTMENT OF TRADE AND COMMERCE).

Copy presented, of Report of the Committee appointed by the House of Trade to consider and report upon any change is desirable in the form in which the Trade Accounts of the United Kingdom are published, and the Countries from which Imports are received.



received and to which Exports are sent [by Command] to lie upon the Table.

#### TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4142 to 4145 [by Command]; to lie upon the Table.

#### EAST INDIA (LOANS RAISED IN ENGLAND).

Copy presented, of Return of all Loans raised in England, chargeable on the Revenues of India, outstanding at the commencement of the half-year ending on the 30th September, 1908 [by Act]; to lie upon the Table, and to be printed. [No. 299.]

#### EAST INDIA (CIVIL SERVICE).

Copy presented, of Alterations in Regulations IV., V., and VIII., of Examinations for admission to the Civil Service of India [by Act]; to lie upon the Table.

#### SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Urban District Council of Enniskillen, and confirmed by the Lord Lieutenant of Ireland, fixing the Hours of Closing of certain classes of shops [by Act]; to lie upon the Table.

#### LOCAL GOVERNMENT BOARD.

Copy presented, of Thirty-seventh Annual Report of the Local Government Board, 1907-8 [by Command]; to lie upon the Table.

#### SUPERANNUATION ACT, 1887.

Copy presented, of Treasury Minute, dated 31st August, 1908, granting a Retired Allowance to William H. Harrington, First Class Clerk, Supplementary Establishment, Secretary's Office, Post Office [by Act]; to lie upon the Table.

#### DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Copy presented, of an Order, No. 7570, dated 7th October, 1908, revoking Order No. 7559, dated 22nd September, 1908, relating to the ss. "Diana" and to animals carried thereon [by Act]; to lie upon the Table.

### QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

#### The British South Africa Company.

MR. CLAUDE HAY (Shoreditch, Hoxton): To ask the Under-Secretary of State for the Colonies whether His Majesty's Government are about to assist the British South Africa Company either in meeting the interest on the railway debentures or otherwise in the development of Rhodesia.

(Answered by Colonel Seely.) No.

#### Milk Supply.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the President of the Local Government Board whether he has now completed the consultations with the Board of Agriculture as to dealing with tuberculous cows, and is now in a position either to bring in the Milk Bill at an early date or to take prompt and effective administrative action to secure greater purity in the supply of milk to the Metropolis and the great centres of population.

(Answered by Mr. John Burns.) The matter is receiving attention, but I am not at present in a position to take action of the kind referred to in the Question.

#### Tuberculosis in Cattle—Report of Commission.

SIR FRANCIS CHANNING: To ask the President of the Local Government Board whether the Report of the Tuberculosis Commission will be immediately issued; and, if not, whether, having regard to the constant demands of local authorities for further powers to deal with this disease, whether as affecting the public health or cattle, and to the questions constantly raised by agriculturists, butchers, and others as to the losses caused by the persistence of this disease, he will press the Commission to report promptly and undertake to deal with the whole question of the extirpation of this scourge by national and adequate machinery at the earliest moment.

(Answered by Mr. John Burns.) I have made inquiry and am informed that no definite date can be fixed for the issue



of the final Report of the Royal Commission, but I understand that they are now preparing another interim Report, dealing with the infectivity of milk from tuberculous cows, which will probably be presented next month. I will bring under the notice of the Commission the desire expressed in the latter part of the Question with regard to their Report.

#### **Regulation of Motor Traffic in the Metropolis.**

SIR FRANCIS CHANNING: To ask the Secretary of State for the Home Department whether, having regard to the increase of fatal and other serious street accidents, due to motor traffic, in the last two or three years, and having regard to the fact that, except in the parks, the excessive speed of motor vehicles, especially in crowded thoroughfares, has become a public danger, he will, either by new or more stringent regulations or by a special order to the police, take steps to obtain throughout the Metropolis some uniform restriction of speed and the more effective enforcement of the law.

(*Answered by Mr. Secretary Gladstone.*)  
The police are instructed to enforce the law as effectively as their powers permit. I have no authority to bring about by regulation or order any "uniform restriction of speed"; that, I must repeat, can be done only by the Local Government Board acting on the application of the local authorities under Section 9 of the Motor Car Act.

#### **Duty on Toy Playing Cards.**

MR. W. PEARCE (Tower Hamlets, Limehouse): To ask the Secretary of State for the Home Department whether his attention has been given to the use of toy cards for money stakes; and if their exemption from duty can be discontinued.

(*Answered by Mr. Secretary Gladstone.*)  
My attention has been called to this matter, and I am in communication with the Treasury on the subject.

#### **Closing of a Portion of the Regent's Park.**

SIR W. J. COLLINS (St. Pancras, W.): To ask the First Commissioner of Works whether a portion of the Regent's Park, between the grounds of St. Katherine's

Lodge and the shrubbery lying east of the fountain in the Brook to which the public formerly has been railed off; and, if so, purpose it is intended to put this portion of the park.

(*Answered by Mr. Harcourt.*)  
A portion of the park was closed some time ago in order to restore the grass which had got into a bad condition. I am considering whether it may with advantage be re-opened next spring.

#### **Date of Completion of Queen Victoria Memorial.**

SIR W. J. COLLINS: To ask the First Commissioner of Works now give a date by which the statue to Her late Majesty Queen Victoria in St. James's Park will be completed.

(*Answered by Mr. Harcourt.*)  
I am unable to fix a definite date, as much depends upon the progress of the work which may be made within three to four months.

#### **OLD-AGE PENSION REGULATIONS.**

MR. HAROLD COX (Preston): I wish to draw your attention, Mr. Secretary, to what I believe to be a breach of the privileges of this House concerning the Board of Inland Revenue. The House will remember that under the Old Age Pensions Act it was provided that in estimating the income of a claimant for a pension, the value of any advantage accruing to him from any property enjoyed by him was not to be taken into account. The Treasury authorised the issue of regulations for the administration of the Act. Those regulations may be laid before the House later, and I do not know whether they will be. I am referring to a copy of the instructions which have been issued to the Board of Inland Revenue officers. These instructions were published in the *Daily Telegraph* in September. When, however, I asked for a copy of them, I was informed that they were secret instructions. The object of the instructions is to instruct the officers that, in estimating the income of a claimant, they are to take in

the value of free board and lodging, but not the value of furniture and personal effects, unless it exceeds £30, and they are always to deduct £30 from the value of the furniture. There is nothing in the Act or in the regulations issued by the Treasury authorising that deduction, and the effect of the deduction will be in many cases to put the claimant into a higher category for claiming pension than he would otherwise be. In other words, the effect of the instructions is to impose a charge on the taxpayer, and I submit that that is a breach of the privilege of the House. The House refused to allow the House of Lords to amend the Bill in any respect, but the Board of Inland Revenue is here claiming to do what we did not allow the House of Lords to do. I can quite see that it would be extremely inconvenient if every breach of an Act of Parliament were treated by the House as a breach of privilege; but I venture to submit that this is an abnormal case. It is abnormal in the first instance because there is no possible means by which the Courts of law can be invoked to correct it. The Act itself provides that there shall be no appeal to any Court of law, and therefore there is no means of putting the law in force. The only other possibility is the intervention of the Comptroller and Auditor-General, but that can only take place after two years, and it would be practically impossible for him to ascertain what persons have had their furniture incorrectly valued, and it would also be impossible to recover the amount. Therefore I submit that in this particular case there is no other means of dealing with the matter except to treat it as a breach of privilege of the House of Commons. I submit it is a breach of privilege, because this body is not merely committing an accidental breach of the law, but is claiming what is equivalent to a concurrent legislative power with this House.

\*MR. SPEAKER: The hon. Member was kind enough to inform me beforehand of his intention to raise this question, and I have used the interval to endeavour to inform myself as to whether any precedent existed of a case similar to that which is now brought before the attention of the House; but I have searched in vain among the precedents of breaches of privilege for anything at all in the nature of the

one the hon. Member now claims to be a breach of privilege. If, as the hon. Member says, a Department of the State has violated an Act of Parliament, the proper course is to indict the Minister here for the action of his Department. That would seem to be the natural and normal course. The hon. Member says that the Courts of law are not open to him. I do not know how that may be. I would not like to give an opinion on that; but it is quite clear that it would be extremely undesirable to extend our view of a breach of privilege, as it would be extended if we were to treat as a matter of privilege every occasion on which we think that a Minister of the Crown is not carrying out an Act of Parliament in a way which appears to the House to be the proper way. Either the Courts of law are open or they are not. If they are not open there is the ordinary way of calling to account a Minister of the Crown, and I think I must leave the hon. Member to take what course he can in that respect.

MR. HAROLD COX asked whether he would be in order in moving the adjournment of the House that night on the ground that this was a definite matter of urgent public importance. That it was of public importance was obvious, and, with regard to urgency, this was a continuing breach of the law, going on day by day, and should be stopped at once.

\*MR. SPEAKER: This seems to be a matter of ordinary daily administration. The Inland Revenue Department, along with the Local Government Board, is called upon to administer this Act. I do not think it would be possible to move the adjournment of the House on a matter of that sort, otherwise, whenever a matter of so-called maladministration or improper administration was pointed out or conceived to exist, the adjournment of the House could be moved. I think the hon. Member should be left to use such means as are at his disposal to bring the matter before the House.

MR. HAROLD COX: May I point out that it is not a question of administration; it is a question of giving instructions which are obviously at variance with the text of the Act of Parliament.

\*MR. SPEAKER: Whether they are at variance or not with the Act of Parliament is a point which I cannot decide. The hon. Member thinks they are, probably the Chancellor of the Exchequer takes a different view.

#### THE WOMAN SUFFRAGISTS.

MR. KEIR HARDIE (Merthyr Tydvil) said he had intended to ask the Prime Minister whether he had been asked to receive a deputation from the Women's Social and Political Union with regard to woman suffrage, and whether with a view to allaying the excitement which existed and which was leading to the women being again sent to prison, and to possible disturbances in the streets, he had any further statement to make on the subject of the enfranchisement of women. He had received from the Prime Minister notice that he was unable to be present to-day. He would accordingly ask the Home Secretary whether the Government were prepared to make any definite statement concerning the enfranchisement of women.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): This is the first notice I have received. Obviously I cannot make any statement in reply to the hon. Member. I must refer him to the utterances of the Prime Minister and to the right hon. Gentleman's answers to Questions in this House.

MR. KEIR HARDIE: May I ask the Home Secretary whether, as the prosecutions have now been entered upon as Government prosecutions, he will treat women who may be found guilty as political offenders, and see that they obtain the privileges of first-class misdemeanants usually accorded to prisoners of that class?

MR. GLADSTONE: The measures which have been taken are obviously police measures in the interests of law and order. If and when any persons are convicted as the result of any proceedings which may be taken, it will be open to the hon. Member to put any Question he likes to me on the subject. But I cannot answer a hypothetical Question.

MR. KEIR HARDIE: Have the prosecutions which are taking place been instigated by the Government, reported in this morning's Press?

MR. GLADSTONE: They have been instigated by the Government, Government will certainly supply the police in taking any necessary measures for the preservation of order.

#### NEW MEMBER SWORN

George Renwick, esquire, for Parliamentary Borough of Newcastle Tyne.

#### STANDING COMMITTEES (CHAIRMAN'S PANEL).

Mr. STUART WORTLEY reports from the Chairmen's Panel, That they have charged Mr. John W. Wilson from the Chairmen of Standing Committees and had appointed Sir David Lloyd Jones to act as Chairman of Standing Committee C, in his place.

Report to lie upon the Table.

#### CHILDREN BILL.

As amended (by the Standing Committee), further considered.

#### Amendments proposed—

"In page 17, line 32, after the word 'and inspect.'"

"In page 17, line 35, after the word 'and inspect.'"

"In page 18, line 39, to leave out the words 'In any proceeding,' and insert the words 'As respects proceedings.'"

"In page 18, line 41, to leave out the word 'Act,' to end of clause, and to insert the words 'The Criminal Evidence Act shall apply as if in the Schedule to a reference to this Part of this Act a First Schedule to this Act were substituted for the reference to The Prevention of Children Act, 1894.'"

"In page 20, line 30, after the word 'evidence,' to insert the words 'under such circumstances that, if the evidence had been given on oath, he would have been guilty of perjury.'"

"In page 20, line 30, to leave out the word 'shall,' to the word 'subject,' in the words 'subject to the provisions of this Act.'"

"In page 20, line 33, after the word 'conviction,' to insert the words 'be liable on conviction to.'"

"In page 20, lines 33 and 34, to leave out the words 'is provided for by Section ele

most 'might have been awarded had he been charged with perjury and the case dealt with summarily under Section ten.'"—(Mr. Herbert Samuel).

#### Amendments agreed to

SIR F. BANBURY (City of London) moved the omission of Clause 39. (Penalty on selling tobacco to children and young persons.) He wished in the first instance to say that in his opinion cigarette smoking, and indeed any kind of smoking, by young children was extremely injurious. But that was not his reason for moving the omission of the clause. He did that because he thought that this continual interference on the part of the State in the home life of the young was wrong, and was likely to lead to more mischief than the particular evil in question would bring about. Smoking, he thought, was injurious to everyone, of whatever age. His right hon. friend the Member for the Bordesley Division of Birmingham asked him if he smoked. No, he did not. That was to say, he smoked two cigarettes after dinner. He did not think that could be called smoking. If they were going to legislate against smoking, they should legislate against his right hon. friend as much as against a child fourteen years of age. One knew from personal experience of many cases in which men had lost their nerves through excessive smoking—through smoking not merely cigarettes, but long black cigars which were extremely injurious to health. The House would be taking an extremely strong step if it passed this clause. Liberals as well as Conservatives had been brought up with the idea that there was a responsibility upon the parent to rear the child in the way it should go. It had always been held that the State should not interfere in matters of domestic life and domestic economy. Yet they were going by this clause to say that the father or mother was not a fit person to have charge of a child and to prevent smoking; they were going to regulate the affairs of private life not by example or precept, but by the policeman. He remembered as a boy remarking around the great number of notices beginning "*Il est défendu*," and being told by his father that freedom from these prohibitions was the great advantage enjoyed by an Englishman. As

a young man he was proud of being an Englishman, because in England unless one stole, or murdered, or broke other of the Ten Commandments he was free to do as he liked. But now all was altered. We were apparently bent on copying the bad ways of the foreigner, and regulating people's existence by the will of a majority of the House of Commons, backed up by the inspector and the policeman. That was clearly a step in a retrograde direction. He had often been accused of being a reactionary, but he did not want to follow the example of other countries in this respect. He preferred to maintain the example of the England of his boyhood—an example which had made England what it is. He wanted to maintain the spirit of self-reliance and self-help. One result of this legislation would be that smoking among the young would be increased. He did not smoke now, but when he was a schoolboy at Winchester he did. Why? Because he knew that if he was found out he would be flogged, and therefore it was the correct thing to smoke. That was the experience not of Winchester only, but of every public school in England. It might have had a deleterious effect—it certainly had on him personally—but still it was supposed to be the correct thing to smoke. In the same way a small boy walking through St. James' Park would smoke a cigarette out of mere bravado, knowing that if he was caught by a park ranger he would be apprehended. He would think it a manly thing to do. Parliament had already gone far to relieve the parent of his responsibility. They had relieved him of the burden of education, and now he believed they were going to relieve him of the duty of feeding his children. What was the use of having a parent at all? Why not take the child at eight months of age and put him into a State home, there to be brought up on the most approved principles? Overeating was just as injurious as occasional excess in smoking. But whereas when a child began to smoke he was generally very ill—at least, that was his own experience—he could do a great deal of overeating without Nature stepping in. He had no doubt that quite as much injury was done to adults as well as young children by overeating and intemperance as by smoking. There were other good sound arguments against this clause. He



believed it would be practically unworkable, and would place the honest shopkeeper who desired to obey the law in a very difficult position. How was the unfortunate tobacconist to know when a boy was "apparently under sixteen years of age"? When he was at school some boys at sixteen had moustachios, while others looked only eleven or twelve. The conscientious shopkeeper would be hit, but the man who did not care 2d. about the law would do a great trade, and in all probability would not be found out. This was really class legislation. It would not affect the rich man. If a poor man, having got home tired, wanted a penny packet of tobacco, he could not send his son under sixteen to get it, but his right hon. friend the Member for Bordesley could send out his servant to buy a cigar—a long black one—which would do his right hon. friend a great deal of harm. He appealed to the Labour Members to support him in this matter. He would not be surprised if the majority of them smoked before they were sixteen, and he did not know a healthier or better developed body of men. If they smoked before they were sixteen, why should it hurt their sons? He really believed this was a foolish measure which would do no good and might do harm.

\*MR. LUPTON (Lincolnshire, Sleaford) seconded the Amendment. He said this was one of the most extraordinary clauses ever presented to the House. The question was not whether the boy was sixteen, but whether he was apparently under sixteen. It did not matter what his actual age was. These Bills seemed to be knocked together in a haphazard way by some benevolent gentleman who wished to do all the good he could; everybody brought him a fresh clause, and the more the merrier, and he stuck them all in. He had the utmost respect for the intentions of the Minister in charge of the Bill; his only complaint against him was that he did not worship at the right shrine. If hon. Gentlemen really worshipped at the shrine of the Goddess of Liberty, they would know how to deal with such proposals. Who was there in the House who worshipped at the shrine? The hon. Baronet the Member for the City—yes; but when it came to the important question of compulsorily poisoning the blood of the nation, he was all for compulsion. What

*Sir F. Banbury.*

was the chief cause of physical deterioration amongst poor people? It was the want of food when they were young. This Government which did not worship at the shrine of the Goddess of Liberty, instead of giving the children food, preferred to send the children to school without breakfast, dinner, or tea. If they would only let the parents alone, the children would grow up strong men and women. He did not say that there was any general deterioration; he did not think there was, but there were great numbers of the population who had much deteriorated, and one could not go into a police Court without seeing what a miserable lot some of those people were. Their deterioration was brought about by interference with human liberty, which would bring about a great deal more harm than it could possibly do good, because it was interfering with the authority of the parents, and with a boy's judgment as to what was just. Boys, like most people whose reasoning faculties were not fully developed, had a very strong feeling in favour of justice; nothing irritated a boy so much as not to be treated fairly. He would think it very unfair; he would say: "The governor smokes, and the masters smoke, and the sixth form smoke, and I don't smoke," and it would affect his ideas of reverence and duty. Perhaps it was better for them to laugh than to cry, but he was almost inclined to cry when he thought of the great harm that was going to be done by this extraordinary legislation. Part III. of the Bill was in watertight compartments, and these penal clauses stood by themselves. As the result of not paying a fine, there was the alternative of going to prison. All the official classes liked that; it meant more work for gaolers, warders, and police, but he did not like it, and, therefore, he objected to the penal clauses for the sake of doing what some people thought was good. They should go about it in the right way, by trying to educate the people as to the effects of nicotine upon their system; but a little child heard praises of smoke, he saw his father smoking cigars, his neighbours burnishing up their meerschaum pipes, and shops filled with cigarettes, and he heard very few warning voices. The good men in that House thought the short way to make the world right was to pass a law: but that was a long way round. They should rely more on giving

enlightenment to the people. Dr. Johnson said—he did not agree with Dr. Johnson—that they were always right in thrashing a school boy, because he was either going to or coming from mischief. He would go to other mischief, which might be worse still, and he objected to driving things in. Let them do their smoking in public. He remembered a young relation of his who did not distinguish himself in mathematics, but who distinguished himself when he saw him one day by smoking a big cigar. He advanced to him, took the cigar, and threw it away. He was not a policeman, or a magistrate, but a relative, *in loco parentis*. That youth was a stronger man than he was, and a better football player, and altogether a much superior person, notwithstanding that he had learned to smoke before he was sixteen. Hon. Members should pause before they rushed into this arena. Smoking was one of the most popular things that was done to-day, and this, he thought, was the most drastic attempt at interfering with popular habits that had ever been proposed in any legislature under the sun. A relative of his in the States said they had all these laws, but they laughed at them. The idea that people ought to obey and respect the law was rapidly passing away, but he wanted to retain that idea, and he thought that before they attacked a habit that had not yet been much lectured or preached against, they should try the milder method of lecturing and teaching. If all those people who wanted to put an end to the smoking of boys would give up smoking themselves they would do well. Would they sooner have the policeman and the fine in Court, with the pot in the background, than give up smoking themselves? If so, he was not going to help them; but if they were really against smoking they would give it up, and that would be quite sufficient to stop boys from smoking.

Amendment proposed—

"In page 23, line 14, to leave out Clause 2."—(Sir F. Banbury.)

Question proposed, "That the words 'if any person' stand part of the Question."

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire,

Cleveland) said that this part of the Bill, although small in proportion to the whole measure, had attracted much public attention, because it was novel in character and because it touched habits that were widespread, but although it was a subordinate part of the Bill, he thought it was an important part. It touched very closely the general question of national physique, which had attracted in recent years so very much attention. The nation was more and more becoming concerned for the physical condition of large masses of its population. He did not pretend for a moment that juvenile smoking was a main cause of physical deficiency—he would not use the word deterioration, for deterioration had not been proved. The conversion of our people mainly into a nation of town dwellers instead of a nation of country dwellers, the over-crowding of our cities, alcoholism, above all under-feeding—these no doubt were the main causes of the low standard of physique which was widely prevalent amongst a large section of our population; but unquestionably the evil of juvenile smoking did contribute to that end, and any measures that could be effectively designed to prevent it would undoubtedly contribute to remedy the evil from which the nation was suffering. As he said yesterday, the subject had been authoritatively inquired into again and again. There was a Royal Commission on Physical Training in Scotland in 1903, and that Commission in their Report said that—

"Tobacco smoking before maturity is reached had a most prejudicial effect on physical development, and this evil and increasing practice cannot be too strongly denounced."

The next inquiry into the subject was that made by the Inter-Departmental Committee on Physical Deterioration, and in their Report they said—

"The question of juvenile smoking at the period of life dealt with in this and the preceding subsection has been given some prominence in evidence, and the Committee have received communications on the subject from the late London School Boards and one or two anti-smoking leagues. The evidence submitted on the point represents a practically unanimous opinion that the habit of cigarette-smoking amongst boys is a growing one, and that its consequences are extremely deleterious."



They quoted a great deal of medical and other evidence, including the evidence of Colonel Leetham, the late Chief Inspector of Recruiting, in Manchester, who said that—

“Perhaps a third of the rejects from the Army in Lancashire might be attributed to smokers’ heart. This is no doubt an excessive estimate, but it shows one bad consequence of early smoking, and it is common knowledge that smoking affects the wind and general physical capacity.”

The Committee recommended that Parliament should prohibit the sale of tobacco and cigarettes to children below a certain age. Two years later there followed the Committee of the House of Lords which was appointed to inquire into the question of juvenile smoking alone, and he must trouble the House with an extract from their Report. They said—

“The Committee were much impressed by the unanimous opinion of all the witnesses, including the representatives of the tobacco trade, that the habit of tobacco smoking produces indirectly a number of ills, facilitates the work of disease, and leads to habits of drink. They were especially impressed by the evidence to the effect that there are no signs of physical deterioration amongst girls. The witnesses all said that the reason for this was that girls are, generally speaking, entirely free from this habit. It has been proved conclusively to the Committee that juvenile smoking has increased rapidly during the last few years, and that it has had a bad effect upon the general health and physique of the present generation, whilst it must have even a worse effect upon the future generations”;

and they concluded with an emphatic and unanimous recommendation of legislation in the next session of Parliament—one was accustomed to that phrase—on lines which had been closely followed in the drafting of this Bill. They continually heard the complaint that again and again Committees and Commissions were appointed, which took much evidence and entered conscientiously into the subjects submitted to them; they heard many witnesses of authority and came to unanimous conclusions, but their weighty Blue-books were placed on upper shelves, and no one ever took any further notice of them. Here they had a case in point, and no stronger case could be made out, of three separate authoritative bodies all unanimously of opinion that here was not merely some trifling sentimental grievance, but a really great evil closely touching the physique of a very large class of the population.

*Mr. Herbert Samuel.*

In the Royal Navy the King’s Regulations forbade smoking under the age of eighteen, whether ashore or afloat. Why that interference with liberty? In the Army regimental regulations were designed to suppress smoking. The local education authorities in many parts of the country had issued warnings to parents against it, and were in some cases educating as to the evils of the habit. There was legislation on this subject in almost every Anglo-Saxon country in the world—in almost all the self-governing Colonies, in a large number of the States of the American Union—as well as some other countries such as Japan. He quoted the experience of other countries not as an argument that this Parliament should legislate merely because others had done so, but in order to show that this was no mere fad or vagary on the part of the present Administration, but that it had been found necessary over a large part of the globe to take measures in recent years against this new and growing vice.

MR. LUPTON asked for a summary of the results in those countries.

\*MR. HERBERT SAMUEL said he believed that where the laws had not been spoiled by the timid legislators who thought they were going too far they had been exceedingly useful, and the experience of the Colonies was that there was no desire whatever to repeal those laws. As a matter of fact, in Canada since this Bill was introduced legislation had been passed through the Canadian Parliament following almost word for word the clauses of this Bill. Public opinion in this country, so far as one could judge, by a great majority, supported this legislation in principle. He had received great numbers of letters and resolutions relating to the Bill, and there was no part of it which commanded a more widespread approval amongst the general body of the nation than that portion of the Bill—he was not speaking of the details, but of the principle—which dealt with juvenile smoking, and even the tobacco trade had made no representations at all against the principle of those clauses. One association had indeed proposed some amendments in detail. He had watched the movement in that trade closely, and he believed that as a whole the tobacco

trade approved this portion of the Bill—out of sheer good citizenship. They knew they would lose some profit by it, but they wished their trade to be free from the stigma of contributing to the physical deterioration of the nation. The hon. Baronet who moved the rejection of the clause in a speech which was more humorous than weighty, if he might say so, asked why they did not apply legislation like this to older people; but that was a futile suggestion. The whole of this Bill was for the protection of children and child life, and contained numerous proposals absolutely inapplicable to older people. Throughout all its history Parliament had drawn a distinction between legislation for the young and that suited for older people. The hon. Baronet said that parental discipline was better than the discipline of the State. No doubt it was, he quite agreed, but if parental discipline was absent, were they to do nothing? Were they to watch this evil grow? While hon. Members gave vent to copy-book headings, the evil progressed. There was a rapidly increasing sale of these noxious cigarettes at five a penny, and the time had undoubtedly come when that sale should be stopped. They must adhere to that clause which prohibited the sale of cigarettes to children. It was no novel principle, it was no new interference with liberty. Spirits must not be sold to children under sixteen under legislation of long standing. Beer or any other form of alcoholic liquor must not be sold for their own consumption to children under fourteen. Was that a wrong interference with liberty? Was that open to objection? Did that prevent the national greatness of England being maintained?

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\*MR. HERBERT SAMUEL said the other example was far older than that. As long ago as 1872 the prohibition of the sale of spirits to children was enacted. Then again explosives might not be sold to children; that was not quite analogous, but the analogy of liquor and cigarettes was a close one. The hon. Baronet said the clause was unjust because it contained the word "apparently." How could a tobacconist be expected to know whether a person was under the age of sixteen or

not? This was no new principle. The word occurred again and again in Acts of Parliament in similar circumstances, and it was the only way in which they could effectively draw a clause like that. If they were to leave out the word, there would indeed be a great hardship on the tobacconist. If they were to say to him "You cannot sell to a child under sixteen," it would be very hard on him to have no protection; but so long as they used the word "apparently" they had a good defence for the tobacconist. In the first place, he could say a boy looked older than sixteen and therefore he was legally entitled to sell to him, while if a small boy who looked under sixteen was in fact over sixteen, and if it was proved that in fact he was over sixteen, no offence had been committed. The Pawnbrokers' Act of 1872 made it an offence to take any article in pawn from any person apparently under twelve years of age. In London and Liverpool the age was sixteen years. The Licensing Act of 1872 made it an offence for the holder of a licence to sell spirits to any person apparently under the age of sixteen. The Metal Dealers' Act made it an offence for a dealer to sell to or purchase from any person apparently under the age of fourteen. The Prevention of Cruelty to Children Act said the age of a child was to be gauged by appearance unless the contrary was proved. This clause had not been hastily drawn without consideration; it had been very carefully considered. There was one modification in the clause which perhaps might be made with advantage. There was an Amendment down to omit lines 16 to 19, which dealt with the case of a person who gave a cigarette or cigarette papers to a person for his own use, which he had purchased or otherwise obtained on behalf of, or for the purpose of giving them to such a person. Those words bore on their face the stamp of compromise in Committee. He did not think they were satisfactory words. He did not think so at the time in Committee. They were inserted in order, on the one hand, not to make it an offence merely to give a cigarette to a boy, on the other hand to retain some power of dealing with those cases in which an older boy went into a shop as the agent of a younger boy, and came out, having bought the cigarettes, and gave them to him. He was sorry to give up those words, but he could foresee

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that they would give rise to prolonged discussion; they were not satisfactory as they stood, and he should not resist the Amendment to omit them. But the clause as a whole was discussed for a day and a half in Committee, and at the end was carried by a majority of two to one. He had little doubt the House would confirm the action of the Committee in that respect. It might be convenient if he said that their minds were not at all closed to modifications in the later clauses. He had recognised from the beginning that the fortunes of the Bill must depend to a very large degree on the goodwill of the Opposition. A measure of that kind, which contained 135 clauses, nearly forty of them entirely new matter, almost all the rest of them containing Amendments of greater or smaller importance, in a crowded session like that, could not find its way to the Statute-book unless it had the support and approval of the House as a whole, and he would like to take that opportunity of expressing on his own behalf, and on behalf of the Government, their obligations to the hon. and right hon. Gentlemen opposite for the assistance which they had given in the main to the progress of the Bill. There was one clause in that part of the Bill which he believed was particularly distasteful to them, and also to some hon. Members on his side of the House; he meant the clause which imposed a penalty on the child himself, Clause 41, which they thought was open to grave objection. That clause did not propose to bring a child before a Police Court, but in the last resort only before a juvenile Court. In the second place the child would never be committed to prison, because in ordinary cases that was abolished by this Bill. The clause, however, was subject to a great deal of discussion in Committee, and he gave a pledge in Committee in order to assist its passage that it should be amended to the effect that on the occasion of a first offence on the part of a child no step should be taken except that notice should be sent to the parent of the child; on the second occasion the child might be brought before a juvenile Court, when he would be liable to no more severe penalty than a reprimand; and on the third occasion only was a fine of not more than 5s. to be allowed. That clause, he thought, would be of some use, but complicated as it would be, and cumbrous in its application, he did

not think it was of the very importance, and indeed, in Committee he said again and again that he regarded Clause 41 as by any means the most important. He attached more importance to the prohibition of sale, and also to the provision in the next clause, that where a child was smoking in a public place a parent should have the right of making up the materials which he was using. He thought that was a comparatively easy way of dealing with what was not a very grave offence. It was to suppress it, but there was undoubtedly in the minds of many persons a disinclination to suppressing it by bringing in the machinery of the penal law. He had desired to retain Clause 41, but he thought it would deal with a boy who was defiant, and it would leave the powers in the hands of the police so limited as they would not be wise to use, but he admitted that the clause was whittled down as it would be by Amendments he had undertaken to insert, would not be of very great value. Even with those Amendments it passed the Committee by a bare majority of two votes. He must realise that and he was sure the House realised that in any legislation of this character in this country was novel so far as it dealt with juvenile smoking, it was in the first instance to proceed slowly, not to go the whole length of what might be essential, further, that in legislation of this kind public opinion should be carried with them all, and that the Bill should represent a general consensus of opinion, as it was in that House. One or two other Amendments might perhaps be suggested, and he trusted that if this part of the Bill was approached by the Government with that conciliatory spirit the discussion of the Bill would be facilitated, and the hon. Members opposite would realise that that part of the Bill, having been modified to meet their views, would be free from many of the objections which they had urged.

MR. MOORE (Armagh, N.I.) said he would say a few words in reference to his speech to which they had just listened. He thought many of his hon. friends would agree with the hon. Gentleman in admitting the gravity of the

*Mr. Herbert Samuel.*

which the Bill was designed to cope. While he and his hon. friends admitted the importance of the matter, they maintained that very inadequate machinery had been provided by the draftsman of the Bill. His hon. friend the Member for the City of London was absolutely right in describing this as class legislation. Objection had been taken to this clause on the ground that it was an interference with the right of the poorer families who could not keep servants. In connection with the sale of drink to children, they arrived at a sensible compromise which allowed a boy or girl to be sent for the deleterious article provided that it was supplied in a sealed bottle. The difficulty in regard to the sale of liquor was got over in that way, but the Government had not adopted that method here. There was an absolute prohibition of a young member of a family being sent as a messenger to a tobacconist to purchase a packet of cigarettes, or cigarette papers. He suggested that a reasonable way of meeting this difficulty would be to adopt the course which was taken in the case of liquors. Let the packet be sealed. The proposal in the Bill would then be no longer open to the charge that it was class legislation, and the result would be that a senior member of a family would be able to send one of the younger members to a tobacconist for cigarettes. He thought importance would be attached to the word "apparently." There was no use in the hon. Gentleman getting up and saying that the word occurred in other Acts of Parliament. Its use in this case would lead to a serious defect in the Bill. The word must mean apparently to the vendor. The vendor must have an opportunity of judging whether the child was apparently under or over sixteen years of age. What was going to happen in cases where cigarettes were purchased by post? There were advertisements in newspapers announcing that on receipt of so many stamps the advertisers would send so many packets of cigarettes. How could the vendor judge of the age of the purchaser in such cases? Was it intended that the word "sell" should apply to retail by post? The word "apparently" would send the Under-Secretary into a great anomaly, and a better term would be "good reason to believe." There was nothing easier than to send a packet of cigarettes by post, and a new trade might

spring up of that kind. As the clause stood, it made it an offence for a tobacco merchant to sell cigarettes to a young person whether for that person's own use or the use of somebody else. That was proposed on the basis that smoking by young persons was a great national evil. He would point out, however, that the clause did not prohibit the giving of tobacco to young persons, the only prohibition was that such persons should not smoke in a public place. He could only assume that the clause was the drafting of timid legislators who were afraid to go so far as to make it a penalty to give cigarettes to young persons.

MR. LAMBTON (Durham, S.E.) remarked that the Under-Secretary had said that the clause had occupied a day and a half in Committee. That showed that it was a very important one, and he did not know that it was adequately discussed in the time given to it. The question seemed very complicated at the present moment, and he could not see why the Government had confined themselves to cigarettes and cigarette papers. There were other modes of smoking equally deleterious. A cigarette was defined as a small cigar or tobacco rolled up in paper. Apparently, boys might smoke any cigar except a small one. The whole matter was very complicated. He wished to support the hon. Baronet the Member for the City of London in his Motion to omit the clause, and he did so on the grounds brought forward by the hon. Member for Sleaford. The Government were beginning at the wrong end in inflicting penalties upon children. The Under-Secretary had said that the national physique was suffering through cigarette smoking, and told the House that the nation was more and more considering the question and that public opinion supported the Bill. If that were so, he asserted that the clause proposed legislation on the wrong lines. If the general body of the nation were in favour of the Bill and opposed to smoking by children it was the business of the parents of the children to see that they did not smoke. He objected to a clause of that sort being applied to the children themselves, for they could not know what the 135 clauses in the eighty-two pages of the Bill contained. It was the duty of Parliament to put the penalties upon the parents and not



evils. He did not often find himself in agreement with some of his hon. friends on pure political matters, but he was heartily in agreement with them when they regretted that the liberty of the country was being more and more encroached upon. With regard to hon. Members below the gangway who were supposed to represent the Democratic Party, there was not a proposal for the curtailment of individual liberty but received their earnest support. That was democracy, not according to the old definition of the term. It was tyranny, and nothing else. It was true Socialism that the individual and the influence of the individual was to be destroyed, and the State and the regulations made by the State were to follow the individual from the cradle to the grave. That had ruined some countries; it would ruin this to the extent that it was persevered with. Of one thing he was sure, that if these restrictions were continued we should grow up—talking about physical and mental degeneration—into a nation of molly-coddles. His objection to the clause was that it would not in any way decrease the evil complained of. He was absolutely sure that it would increase it. Take a child, for instance; when he had attained the age of sixteen years, assuredly he would become a confirmed smoker out of bravado; to show that he had recovered his freedom he would get into the habit of smoking. Talk about the poisoning qualities of cigarette smoking! It had been said that the evil arose from the habit of smoking cheap cigarettes which were provided by the million for the youth of the country. But if these cheap cigarettes were analysed, how much nicotine would be found in them? It would be found that in the penny packet of cigarettes there was an infinitesimal amount of nicotine. And if there was no nicotine in them, how could there be nicotine poisoning? One objection he had to this clause, besides all others, was that it would increase the practice of cigarette smoking. They could not go against human nature. If a boy were told that he must not do a thing, his first instinct would be to consider how he could set about to do it. It was an instinct, and any boy worth anything would act in that manner. There was an extra charm, moreover, in anything that was forbidden by law. Forbidden

by the parent was one thing, bidden by the law was another, latter would inevitably increase consumption of these cigarettes. already been said, this was class legislation in the worst form. It was a class legislation got up by society member of which, or nearly member, could get all their wants supplied, but who seemed to have pleasure in arranging that their less brethren should not have their wants supplied. They talked about the rights of a child, but it was not the child who was fined, it was the parent. On the first occasion there was a fine, on a second offence there was a fine. Were not the poorer classes of the country handicapped enough? They must begin in this superior House of Commons to legislate in this way, and this the Government's democracy, so it was not an expression of democracy that he was taught to believe which he still believed in. It was the parent who would have to pay, and if he could not pay he would have to go to prison. For what? Because his child had been on the street or public place had been smoking a cigarette. He said that the clause was not worthy of our Legislature, was not even worthy of argument, only of ridicule and contempt. The only consolation was that this clause was a dead letter. If it were in operation they would want to double the number of the police, because they would be going to make a third of the population of this country criminals, criminals before the law, criminals. The Government were to do the deadly injury to the morality by setting up a standard of crime which included that which was no crime in the eyes of the working classes, and the working classes would be unable to distinguish between what was a real and what was a crime. They would in this way do a great damage to their morality, one of the greatest dangers of the age, to confuse the difference between crime and what could only be considered as a breach of a bye-law. By this therefore, the Government would do a stab at the morality of the working classes. They would teach the poorer working classes that it was of no consequence whether they broke in and whether they smoked a cigarette

*Mr. Jesse Collings.*

was bad in very great moderation for children. He defied anyone to produce any specific evidence in support of the statement that the smoking of a single cigarette, for instance, by a child of fourteen, did the least harm in the world. That being so, they had to approach this subject from that side of the House exactly as they would approach any other unwholesome practice for children. The question was, was this a wise way of dealing with it? He did not believe that the clause would have the least effect. He believed that a boy, if he wished to get tobacco, would get it somehow, and would smoke, and no clause making it a penal offence for a boy to get tobacco would have any real effect. His hon. friend the Member for North Antrim had pointed out that they could not stop compulsorily the sale of tobacco by post. There was no means of doing it. There was nothing to prevent a boy either writing himself or getting somebody to write for him, to a merchant to send him a packet of tobacco. The addition of the cost of postage was not a very serious matter when they considered the amount that could be sent by post for a penny. If a boy wished to smoke, the penalty for doing so would only increase his ardour to indulge in it. What was more likely than that to do him harm? They had been told that this was a growing evil and that something should be done to stop it. There was no more dangerous frame of mind in which a Legislature could approach such a question. But why was this tobacco smoking becoming a great evil? Hon. Members on the other side of the House never asked themselves why it was that those evils affecting the young began, and why it was that they were more flourishing now than they were thirty or forty years ago. They had a great career of progressive legislation during that period. They had provided for compulsory education and all sorts of regulations for dealing with children. They had very largely put the State in the position of the parent, and yet they were told that this was a growing evil. And they proposed still further to take away the legitimate natural authority of the parent and substitute for it the wholly illegitimate and ineffective authority of the State. That was a vice which they on that side of the House opposed. It was an offence against all

legitimate legislation. Moreover, it did not accomplish what it proposed to accomplish. It effected a great many more evils than it attempted to cure. He hoped that the House, even at that stage, would not pass the clause, which he was convinced would do harm; and he trusted the House would support the Motion of the hon. Baronet.

\*MR. JESSE COLLINGS (Birmingham, Bordesley) said he would like to say a few words on this clause, although they were all conscious that it would have no effect on hon. Gentlemen opposite. He would not follow his hon. friend behind him on the effects of tobacco smoking, even in moderation. But they should look at the result of smoking on the part especially of the poorer classes of the country, at the manner in which it sweetened friendship and passed away the bad hours of poverty and hunger. [MINISTERIAL ironical laughter.] Hon. Members might laugh; but this was a Bill framed by and with the ideas of the well-to-do classes for dealing with the poorer classes of the country. He thought, however, that most hon. Members would agree as to the social advantages and comfort smoking had given. It promoted a good, friendly feeling, and because it was a comfort to so many was one reason why it should be done away with in the opinion of certain persons. It was a revival of the old Puritan feeling about putting down bear-baiting, not out of consideration for the bear, but because the Puritans suspected that the bear-baiting gave some pleasure to the spectators. He would not go into the merits of smoking. He did not smoke cigarettes himself. He did not care about them. His only objection to good cigars was that they were expensive. He did not think that they did him any harm, although for a considerable number of years he had tried his best in the direction of both pipes and cigars, and he could say that, on the whole, he had benefited from smoking them. The faddists might say that they were no good; that they must not drink, smoke, or do this, that, and the other thing until their lives were so limited that one wondered that they thought it worth while living at all. Health was injured in many other ways—by discontent, by various drawbacks, and troubles which they might regard as

come down that day to attack the Bill— [Several HON. MEMBERS: Not the Bill, this clause.] Well, if they took away this clause they might as well drop the Bill. He believed that there would be thousands of parents up and down the country who would be pleased if this clause were passed because it would assist them in protecting their children. The right hon. Gentleman had talked of other days when the children had no such opportunities of getting and earning money that they had to-day. Parents and everyone who had anything to do with children would support them in passing this clause. It would be a blessing to the children and remove a great temptation. The right hon. Gentleman had spoken against all the facts of science and learning and the medical evidence brought before the Committee. There might not be so much nicotine poison in one cigarette. But it was not one cigarette, it was one after another and an accumulation of the poison that was the evil. He hoped his hon. friend would remain firm on this point in spite of the opposition to the clause, and he appealed to the House to think of the little children and help to remove this temptation that so demoralised them. The waste of money was evil enough, but behind that, and worse than that, there was the ruin of the health of the children. The noble Lord had stated that every argument used with regard to the children applied to adults, but there was at least one that did not. Smoking stopped the growth of children. He implored the House, as one who had the interest of the children at heart, to support this clause. Although he himself was a light smoker he might say he did not commence to smoke until he was fifty years of age.

MR. A. J. BALFOUR (City of London) said that unlike the hon. Gentleman who had just spoken, he was not even a light smoker. He neither smoked, nor had he ever indulged in the practice. The question before the House was whether they ought to embody in an Act of Parliament, in a very imperfect and incomplete form, one broad recommendation with regard to the treatment of the young, and whether if they did so they would carry out in the smallest degree the object they had in view. Everyone knew that since the medical world, and following

it the general public at large, had devoted themselves to the question of hygiene, any narrow views, sometimes quite inconsistent, taken as to the proper method of adult life alone, but even more of life. He believed the questions upon were of the profoundest importance. He had not the smallest doubt that young and especially the very young of this country suffered from the ignorance of their parents—especially mothers—as to the best kind of treatment they ought to have in their tender years. It was not a question of poverty, although, of course, that came in. Entirely outside poverty there was a single person who had followed the discussions who did not know according to the large schools of instructed medical opinion, most of the things were done to the young by their parents through sheer ignorance? There was no attempt to deal with the present case; they were attempting to deal with what was not a vice but an indulgence which they thought ought to begin till the human being was an adult. He would not discuss how far smoking was injurious to a person under sixteen or over sixteen. Everybody knew that even after sixteen there were people who were greatly over-smoked, who produced what was called a "smoker's heart," and who brought upon themselves important ailments by indulging in tobacco. But the numbers of women who smoked were increasing. Smoking was accepted in ordinary life in a manner in which it was not twenty years ago. He had no slightest doubt that the increase in juvenile smoking of which the hon. Gentleman complained was due to the imitation by the young of the practices of their elders, which was universal and was embodied in the nature. If their parents smoked they themselves thought it was nothing to smoke and a manly thing. Then an Act of Parliament would stop it. But how were they to deal with this question of smoking? There was one school of medical opinion who thought the people of the present generation were not suffering from under-feeding but from over-feeding—from indigestion and over-feeding. He had a friend who had a great deal of trouble to look at the actual methods of life among the

*Mr. S. Collins.*

MR. BOWLES (Lambeth, Norwood), in moving to insert, after the first word "person" the word "knowingly," said that the purpose of the Amendment was clear and obvious on the face of it. It was to ensure that the penalties, disabilities, and very serious consequences which the clause entailed upon a certain person should not be imposed upon him without his "knowingly" committing the offence constituted under the Act. This Amendment was essential unless very grave and serious injustice was to be done in practice so as to bring a reproach on the House and on the law itself. The object of the clause was to prevent boys from smoking cigarettes in public places. For his part, he did not believe that it could be done; but if one believed that it could be done it should be done with reasonable care for the very serious and vital interests of those who would be involved by this legislation. It appeared to him that as the clause was drawn, the whole burden, risk, and responsibility would rest not upon the parent mainly, not on the boy mainly, but upon the small retailer who sold the cigarettes. If it were assumed that it was an evil and a wrong thing to smoke cigarettes, then, he maintained, the responsibility should be put on the parent or guardian, who, however, got off. The next responsible person, no doubt, was the boy himself, but he got off with a reprimand. The one man whom this clause would strike at inevitably every time, was the tobacconist. He was certain that the form of offence here set up against the tobacconist was entirely new and very extraordinary, because, unless he entirely misapprehended the effect of the clause, this man might be and must be, if the clause were to operate at all, haled before a Court of Summary Jurisdiction and charged with a crime which it might be shown he had neither knowledge that he was committing nor intent of committing. His knowledge of the retail tobacco trade was nil, and he had no interest in it; but it appeared to him to be a very strange thing indeed to hale a man before a Court and brand him as a criminal and perhaps ruin him in business and reputation because, in the rush of business that went on in those small shops where cigarettes were sold, a man might not have carefully looked at two or three

boys who came into his shop, or having honestly exercised his best judgment he had come to the conclusion that they were not "apparently" under the age of sixteen. He did not suppose that any hon. Member would desire to screen a man who, knowing what he was doing, chose to do it for profit, or any man who, having reasonable cause to know or being in a position to have reasonable cause to know that the boy was under the age of sixteen; but unless the word he desired to put in the clause was inserted, a man might be ruined, if not financially, in reputation and in business, for doing a thing which at the time he committed it he did not know was a crime. He begged to move.

#### Amendment proposed—

"In page 23, line 14, after the first word 'person,' to insert the word 'knowingly.'"—*(Mr. Bowles.)*

Question proposed, "That the word 'knowingly' be there inserted."—*(Mr. Bowles.)*

\*MR. HERBERT SAMUEL said he did not understand whether the hon. Member proposed to substitute for the word "apparently" after the second "person" the word "knowingly" after the first "person." The hon. Gentleman could not have both words.

SIR F. BANBURY said he intended to move to leave out "apparently" afterwards.

\*MR. HERBERT SAMUEL said he gathered that the consequential Amendment would be moved to leave out "apparently" after the word "knowingly" had been inserted. He would point out that the effect would be to make the clause absolutely unworkable. It could rarely be proved that the tobacconist knew that the boy was under the age of sixteen. He would always say that he did not know that the boy was under sixteen. They must deal with a tobacconist who had reasonable cause to know that the boy was under sixteen. He pointed out that in a great number of statutes precisely this form of words was adopted—of using "apparently"



then they would not prevent him by saying that he was not to smoke in public. If, on the other hand, all they meant to do was to prevent the unpleasant sight of a rather sickly-looking youth smoking what was obviously a most detestable cigarette with the air of one who was lord of all he surveyed, then, really, the machinery of legislation ought not to be used to do it. Conceive the feeling of a boy when he knew he was perfectly safe if he smoked in any spot which could not be described as a public place. He would only have to walk through the gate of a field when he saw a policeman approaching; he might lean over the gate and puff his cigarette in the face of a policeman until he had finished it. Could any greater amusement be provided for the rising generation than that of being able to smoke a cigarette in a public place, and if one saw a policeman approaching, to move off a dozen yards through a gate, continue to smoke one's cigarette until it came to an end, and then walk out, taking off one's hat to the guardian of the law? If their object was to prevent physical deterioration of the race, surely legislation of that kind would be absolutely useless. He could not but think that the Government were lapsing into a procedure which had long been discredited. His hon. friend the Member for the City of London had remarked that in his younger days this kind of legislation was disbelieved in by both sides of the House, and he himself thought that to be absolutely true. In the Middle Ages, in the fourteenth and fifteenth centuries, exactly the same kind of legislation was passed. They believed seriously at that period that by this kind of legislation one could perform some miracle in forming the habits of the population; and they were always passing Bills—not that any human being took the smallest notice of them after they were passed, but because they were an evidence of the good intentions and high objects of the Legislature which passed them. The Under-Secretary in the middle of his excellent speech, in answer to a question which was interpolated as to the result of the legislation in the Colonies, said that to deal fully with that question would take too long, and that there had been no desire to repeal the legislation. Legislation of this kind was not repealed; it was ignored. It was difficult to repeal legislation. It roused

a considerable opposition; it led to debates. Therefore, he quite understood that if they passed this legislation it probably would not be repealed. It would be absolutely ignored. That would happen. Here and there a mischievous boy would amuse himself by making fun of a too zealous constable. But that Parliament would, in the passing of clauses like this, alter the taste for nicotine, and the imitation of that taste, by that Parliament, was really grotesque. The orator thought that Parliament could not do that. It could not create a feeling that something was immoral. If they based their legislation upon an already existing feeling of immorality, they might be able to express that feeling practically, but to suppose that by merely putting a Bill they were going to create a public opinion which was required in order to make their Act operate was the most fantastic illusion, and it was constantly haunting the legislators and legislatures. The orator expressed his belief that the Government had fallen into that method. The Gentleman who had just sat down had asked whether any change had come over the feelings of the Opposition regard to the Bill as a whole. The change had come over the feelings of the Opposition. He did not think that to undervalue the admiration which the hon. Gentleman expressed for the Bill had done in furthering its progress. Probably, he had found a good deal to like in the provisions embodied in it, and the Home Office. Of course, the Bill as a whole met with the assent of both sides of the House, but with their warm approval. But this particular group of clauses had no connection with the Bill as a whole. He could not help feeling that the hon. Gentleman had not in any way endangered his Bill by adhering to these clauses, he and the Government acted quite fairly by the House in introducing suggestions of so contradictory character in the middle of a Bill which, in its main provisions, was quite uncontroversial. Everybody understood that the Opposition could not absolutely prevent this Bill passing into law without the smallest difficulty. Closure by compartment was not a Bill of over 130 clauses could be passed by consent; and that could

*Mr. A. J. Balfour.*

were anxious to give and meant to give ; but it was rather abusing their anxiety to see useful legislation passed to interpolate something so alien to the general spirit of legislation in that House—legislation which, however excellent in intention, could not have the smallest effect on the habits of the young, legislation which created crimes which did not now exist, legislation which would be a constant and chronic incentive to all the high-spirited youth of the country to add to the rather unfortunate habit of imitating their elders by indulging in the practice of premature smoking, the additional pleasure of defying—in a matter in which morals were not in the least concerned—this meddlesome legislation which the Government insisted on passing. It was, he supposed, too late after the speech of the Under-Secretary to make an appeal, but when the Government depended upon the Opposition for passing their Bill they spoke with some claim to general consideration, and he asked the Government whether they did not think that if legislation of this kind was to be passed at all it should be passed separately, so that the House might pronounce upon its merits. It was consistent neither with the best interests of the country, nor with the traditions of legislation in that House, to interpolate controversial clauses wholly outside the ordinary legislative practice of the House, which so large a section of the public thought would be entirely inoperative for the progress of those it was intended to benefit, and which, so far as the public were concerned, could be productive of nothing but evil.

MR. GLADSTONE thought that no one in the House would complain either of the tone of the right hon. Gentleman's observations or of his criticisms. The Government had recognised from the first that there were strong arguments against the provisions now proposed. The right hon. Gentleman had said that they ought, in regard to this particular Bill, to remember the views and opinions of the Opposition, and, seeing that the Bill was a very long one and was not controversial, it ought not to be impeded by the introduction of clauses so highly controversial. But he would like to point out that the Government had no reason to apprehend that these

clauses would in fact be considered as highly controversial. They were in the Bill from the start ; they had been considered in Grand Committee ; they had been under public notice for a very long time, and he was bound to say that the opposition to them which had been developed to-day came to him very much as a matter of surprise. He was prepared for criticism, and he might say for an adverse vote. He was referring not so much to the speech of the right hon. Gentleman, but to the language of high denunciation, the declaration that these clauses were directed against liberty, that they meant the police force would have to be doubled, and other statements of that sort, which appeared to him to be not only highly coloured but—he did not wish to say anything offensive—almost a grotesque exaggeration. There had been a double argument. The right hon. Member for Bordesley had taken the pessimistic view that these clauses would lead to all sorts of terrible effects ; and the right hon. Gentleman the Leader of the Opposition summarised what he considered would be the results by saying there would be no result at all, that the machinery of the Bill would be impossible, and that the effect of it would be a dead letter. He thought that argument answered in great measure the right hon. Gentleman the Member for Bordesley. There could not be any interference with liberty if there was to be no particular effect at all—no result of the Bill. But he did not wish to press that argument beyond a certain point. The two real questions they had to consider were these—first, was the practice of smoking by the very young bad ; was it a habit which was growing and threatening the health of the nation ; and, in the second place, was it their duty to endeavour to provide a remedy, and was the remedy proposed adequate for the purpose ? These were the questions they had to consider. He thought boys smoked cigarettes because they liked it. They did not smoke pipes and cigars. If they did, nature would have its revenge. He remembered smoking cigarettes himself at an early age, and liking it very much.

MR. A. J. BALFOUR : In a public place ?



MR. GLADSTONE said the definition of a public place was so very difficult that he could not answer the question. When he was a boy, what was a casual practice had now become a very common habit. The noble Lord the Member for Marylebone questioned whether there was any weight of scientific or medical evidence to prove the evil of cigarette-smoking. Surely it was a fact that whether medical opinion could be relied on now or in the future, it had declared with force and conviction that smoking in excess was bad for all, that smoking in excess for the young was perhaps the worst thing possible, and that smoking even moderately had a bad effect on the health of young persons. He would recall to the recollection of the House a rather significant general order which was issued in March by General Grenfell in Ireland. He was not an emotional faddist, but a man who kept his eyes open, and had the health of his soldiers greatly at heart, and would only act in a practical and commonsense way. He said in this general order—

“The commander of the forces has, during recent visits to military hospitals, been again struck with the harm that the increasing prevalence of cigarette-smoking is doing to the health of the Army. It is not confined to the Army, and Parliament is likely soon to deal with it as affecting the national health. Lord Grenfell appeals to the Irish Command to give earnest and early thought to combat what is gradually but greatly affecting its efficiency, and he requires all commanding officers to impress on those under their command the evils that must inevitably ensue from this excess.

“With a view to helping men to overcome the habit the commander of the forces directs the smoking of cigarettes to be prohibited at certain times when, on the other hand, no similar restriction as regards pipe-smoking will be made; the smoking of cigarettes, therefore, will not be permitted while men are on fatigue or under arms on any occasion, including field operations and manœuvres.”

He believed similar orders had been issued in other commands. The military authorities had, in their manual dealing with health, dealt with the matter, and had issued in their Memorandum to soldiers a series of warnings on the subject. He understood it was found that young soldiers who had taken to cigarette-smoking, and had largely abandoned smoking pipes, had in consequence developed heart troubles, and now special

precautions were being taken. was a special danger in cigarette-smoking which had so far developed as to endanger the efficiency of soldiers and lead to a large number of rejections in the case of recruits. What was true of these young soldiers, *a fortiori* true of still younger boys who had the habit. He did not think they could carry the matter any further. He believed the evil was admitted. The question was, were these proposals necessary and would they be of any effect. Their intention was to co-operate with the parents. They agreed that the parent was and ought to be the authority, but the mischief was that the boys smoked under the eyes of the parents and had no power whatever over them. The boys under the present law had perfectly unlimited powers of purchasing tobacco, and the very worst quality that was sold. They proposed to co-operate with the parents by saying the tobacco seller must not sell tobacco of this kind to boys. These proposals necessarily be open to criticism from the boys who indulged to the same mischievous extent in the practice of smoking cheap cigarettes did not, in fact, get their tobacco by post, and very much doubted if they would in the future if the Bill was passed. The Government anticipated that the Bill would have a practical effect because it proposed to co-operate with the parents in dealing with what was admittedly a growing evil. His hon. friend had announced modifications in Clause 1, and had told the House that he was going to proceed with Clause 2. The right hon. Gentleman would agree that they had paid that tribute to the House of the Opposition. But they were convinced that this was an evil which really required to be dealt with, and could not make further concessions of any material kind. They believed something was necessary, and these proposals were the best that could be devised. He agreed there were imperfections in them, but if any hon. Member could suggest a better mode they would be only too glad to consider it. But, so far as concerned, these clauses represented the most effective action that could be taken, and he hoped, therefore, that

would support them in maintaining them as announced by his hon. friend.

VISCOUNT MORPETH (Birmingham, B.) said the right hon. Gentleman was under some misapprehension with regard to what took place in Grand Committee. There were many Members of the Committee not on one side of politics alone, who resisted these clauses most strenuously—Members who had given a general support or a friendly neutrality to the Government. They recognised that the Under-Secretary had made a very considerable concession: to their mind the clause that the Under-Secretary proposed to omit was the most mischievous of all, because it brought a boy, through what was no moral fault, into the meshes of the law and into the police Court. He was grateful to the Under-Secretary for striking that out. He did not want to say anything about the general principles of liberty and compulsion. Compulsion was often very necessary and useful, and liberty should be very qualified when they were dealing with the young. Liberty was by no means altogether a blessing for those who had not come to years of discretion, and he did not base his opposition on that ground; but the clauses were mischievous because they would not and could not be enforced. From their very earliest years boys would be accustomed to flout and disobey the law generally, with very slight or no consequences to themselves, and cigarette-smoking, though a bad habit, was of less account than that boys should be enabled to disregard the law. The Home Secretary said it was the desire of the Government to co-operate with the parent. If the parents and the schoolmasters in elementary schools chose to enforce the powers which were legitimately theirs it would be perfectly possible to put down smoking amongst young boys. It was very remarkable that a boy should be a habitual cigarette-smoker, and the parent not be aware of the fact. If the parents were zealous in the matter, and schoolmasters cared to co-operate, it was perfectly easy to put down smoking without calling in the arm of the law. He would like to ask whether the Government considered drinking or cigarette-smoking the worse. In their general legislation they were going as far as

possible to prevent the adult from drinking, but they were not going to prevent him smoking. Under their legislation for children they allowed a child to drink beer after the age of fourteen, and did not allow him to smoke up to the age of sixteen. According to that arrangement of ages it appeared that they considered cigarette-smoking worse for young boys than the drinking of alcohol. He disclaimed the idea that seemed to exist in the minds of some people that smoking and drinking had anything to do with one another. There were very many excellent persons who thought it dangerous to allow boys to smoke because it led to drinking habits, but there was no evidence of any sort that there was any connection between drinking and smoking. He thought it a great pity that the two matters should be drawn into connection, and that smoking should be considered vicious or even morally wrong, and that therefore they should make an ill-considered and ill-advised attempt which was doomed to failure.

\*MR. REES (Montgomery Boroughs) said he would not attempt to maintain the debate at the level it had reached, or to follow his noble friend in the ethics of the question whether smoking and drinking were connected, though he believed those who did not smoke did not want to drink before going to bed at night. He was in favour of lessening temptation—indeed, he would vote for its total abolition—and he was grateful to the Government for excising Section 41, and for the Amendments they had introduced into Section 39, which had made it more workable, and to him, personally, far more palatable. Every Member who had spoken had been so far personal in his remarks that he had referred to his own habits as regards smoking, therefore he made no apology for saying that tobacco was a weed which was to him absolute poison. Neither had he been converted from his belief that juvenile smoking was extremely injurious. He had lived in countries where brown babies alternately applied themselves to their mother's breasts and their mother's cigars. Anyone might see that in Burmah every day of their lives, and it was possible that to the children of that

country the early practice of smoking was not so injurious as he believed it was to the youth of this country. But he did not think because one took that ground it would be any justification for joining the ranks of those who "compounded the sins they were inclined to by damning those they had no mind to." He believed juvenile smoking was an extremely injurious practice. But to make things crimes was another affair. He would like to know if it was the case that if a boy of sixteen or under sold a cigarette paper which might or might not be used for the purpose of rolling a cigarette, he would actually be liable to a fine of £5, and that, if he could not pay, his father would be liable to go to prison? With all anxiety to stop juvenile smoking that seemed to be rather a severe provision, and the section was pretty stiff. It was quite conceivable that a boy might sell some of those cigarette papers to another boy for the purpose of rolling up alley tors or commoneys, or other toys or marbles that boys used. It seemed too much to make the passing of cigarette papers like this an offence. Personally he would be rather glad if the section were amended, and made a little more lenient than it actually was. However, he had heard expressions of dissent and disapproval on that side of the House at the action of the Home Secretary in excising Section 41. Therefore he took the opportunity of saying there were some on that side who thought it was a wise and a moderate course to cut this out, and were grateful to the Government for having done it. The fact was that one might be very anxious to abolish temptation. It was an admirable objective, but it was not very easy of attainment. It seemed to him that to multiply these offences, and to create so many crimes was rather a serious matter. When one clause after another came before the House, and provisions, already severe enough, were stiffened up, he could not help thinking of the great writer who said—

"The more corrupt the Republic the more numerous the laws."

Those who thought as he did were as anxious to preserve the children from smoking and drinking as those who

thought differently. But the fact that the truth had been summed up by the writer who said—

"How small of all that human heart  
That part which kings or laws can  
cure."

SIR JOHN KENNAWAY (Devon) entirely agreed with the motion with which the hon. Member concluded his speech, and he was not at all in favour of pushing legislation too far, and interfering with and lessening the force of that moral law which ought to be, and he hoped increasingly be, brought to bear and applied to people not of mature age required protection by law. It was a very serious question, and they must be very careful how they rushed into it. After the evidence of several commissions quoted by the Under-Secretary, it was practically unanimous that this was the most serious evil, and that it required some serious way of dealing with it. He should certainly support the clause now stood. He believed the Government looked for it, and he believed that the mere legal force of it it would be an example and a lesson which the country thought was necessary. He believed it would not be used in a punitive way, and that it would be a great encouragement to parents and schoolmasters in checking this system which they thought to be a national danger.

MR. GULLAND (Dumfries) regretted extremely that the Home Secretary had made the concession he had announced, and he thought he had gained much up to now, because the debate had not been shortened. He regarded the smoking of cigarettes as a great evil, and the mere selling as only a part of the operation. He felt it was scarcely fair to put the penalty on the man who sold the cigarettes when they still allowed children to smoke. The giving of a cigarette, too, was as bad as selling, and anyone who encouraged the habit of cigarette smoking among children was doing just as much harm to the growing race as a bacconist. He regretted also that the Under-Secretary had announced his intention of dropping Clause 41, and with the Amendment which he had

*Mr. Rees.*

on the Paper, there was the very valuable provision that he brought into touch the parent, who was to be informed that the child had been found smoking. He regarded it as a most valuable Amendment that the first approach to the subject was not even a reprimand or a fine, but an intimation to the parent that the child had been found smoking. In the majority of cases the parent might have been trusted to deal with the child in such a way that the offence would not be repeated, especially as he would know that if it were repeated he would have to come to the Court with the child and stand beside him when on his trial. He regretted very much that that provision was given up, because he felt that without the co-operation of the parent not much good would be got. But, still, he should certainly vote for the clause, and he was not very sure whom its opponents were speaking for. He had received from nobody any objection to the clause, and he thought it was a great deal to the credit of the tobacco trade that they had entered so loyally into the proposals of the hon. Gentleman. They had scarcely got the credit they deserved. Hon. Gentlemen on both sides who were opposing the clause were doing so more on theoretical than on practical grounds. Some hon. Members had talked about the making of public opinion on the subject, but the public opinion was made. He did not think hon. Gentlemen were aware of the strength of public opinion, and the very strong feeling that those who had to do with children had upon the subject. It was the voluntary workers, who were trying to put down this evil by moral suasion, who found all their efforts checked for want of legislation, who were asking for these provisions, and he hoped the House would encourage them in that desire.

MR. WALTER LONG (Dublin, S.) and the hon. Gentleman asked what was the reason for the opposition to the Bill, and whether they had received any suggestions from outside the House. He had heard some startling statements in that House, but that was the first time he had heard that the activities of a Member of Parliament were to be governed entirely by representations from people outside. Obviously, so long

as people were freely elected, and were not merely the delegates of others, it was their duty to offer those criticisms which occurred to them as the result of their experience and knowledge, quite irrespective of representations made to them from outside. Some reference had been made to the apparent change in the attitude of the Opposition, but both the Home Secretary and the hon. Gentleman behind him, who entirely ignored the fact that many who had taken part in the debate had not had the opportunity of taking part in previous discussions on the Bill, and when hon. Gentlemen opposite found fault with some of those who spoke because they said they were not familiar with every clause of the Bill, they were assuming to themselves virtue to which he believed they had not the smallest claim. He believed the great majority of Members opposite would find themselves quite unable to answer questions on the various clauses of the Bill, which was only one out of many Bills with which they had been called upon to make themselves familiar. The fault consisted in putting into a Bill of this kind, which in itself was not controversial, and which, in regard to its main provisions, had the goodwill of everybody in the House, objectionable proposals of this kind, which, if they could be justified, and they had not yet been justified by any of the arguments they had heard, ought to be embodied in separate Bills and produced in such a form that the House understood what it was doing. He did not believe, until they came to this part of the discussion, that a fifth of the House of Commons had the faintest idea what was the legislation they were called upon to pass. So long as this kind of thing happened, so long it would be found on the Report stage that a very different attitude from that which was adopted before the Committee would be taken up in the House. He had no idea that these clauses were in the Bill. He was not a member of the Standing Committee which dealt with the measure upstairs, and he had been reading other Bills in the discussion of which he had been called upon to take part. To read every clause of every Bill introduced was absolutely impossible



Bramsdon, T. A.  
 Branch, James  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Causton, Rt. Hn. Richard Knight  
 Channing, Sir Francis Allston  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W)  
 Corbett, C H (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cox, Harold  
 Crooks, William  
 Curran, Peter Francis  
 Davies, Timothy (Fulham)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N  
 Dobson, Thomas W.  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh  
 Harvey, W. E. (Derbyshire, N. E  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry

Hope, W. Bateman (Somerset, N  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jardine, Sir J.  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kennaway, Rt. Hn. Sir John H.  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E)  
 Leese, Sir Joseph F. (Accrington)  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Maddison, Frederick  
 Mallet, Charles E.  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Grady, J.  
 O'Malley, William  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs. Leek)  
 Pearce, William (Limehouse)  
 Perks, Sir Robert William  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th  
 Richards, T. F. (Wolverh'mpt'n

Richardson, A.  
 Roberts, G. H. (Norwic  
 Roberts, Sir John H. (Der  
 Robertson, J. M. (Tyne  
 Robson, Sir William Sn  
 Roch, Walter F. (Pemb  
 Roe, Sir Thomas  
 Ronaldshay, Earl of  
 Rose, Charles Day  
 Runciman, Rt. Hon. W.  
 Rutherford, V. H. (Bre  
 Samuel, Herbert L. (Cle  
 Scarisbrick, T. T. L.  
 Schwann, Sir C. E. (Man  
 Sears, J. E.  
 Seddon, J.  
 Seely, Colonel  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mack  
 Snowden, P.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Steadman, W. C.  
 Stewart, Halley (Green  
 Stewart-Smith, D. (Ke  
 Straus, B. S. (Mile End  
 Summerbell, T.  
 Talbot, Rt. Hn. J. G. (Ox  
 Taylor, Theodore C. (R  
 Tennant, H. J. (Berwic  
 Thomas, Abel (Carmar  
 Thomas, Sir A. (Glamc  
 Thompson, J. W. H. (Sof  
 Tomkinson, James  
 Trevelyan, Charles Ph  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upo  
 Wardle, George J.  
 Waring, Walter  
 Wason, John Cathcart  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbar  
 White, Luke (York, E  
 Whitehead, Rowland  
 Whitley, John Henry (Y  
 Whittaker, Rt. Hn. Sir J  
 Wiles, Thomas  
 Williams, J. (Glamorg  
 Williams, Llewelyn (Ca  
 Wilson, Hor. G. G. (H  
 Wilson, Henry J. (Yor  
 Wilson, John (Durham  
 Wilson, J. H. (Middle  
 Wilson, J. W. (Worce  
 Wilson, P. W. (St. Pa  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Wortley, Rt. Hon. C. J  
 Yoxall, James Henry

**TELLERS FOR THE**  
**Master of Elibank**  
**Herbert Lewis.**

NOES.

<p> <b>Island-Hood, Rt Hn Sir Alex. F.</b>  <b>Anson, Sir William Reynell</b>  <b>Bakarras, Lord</b>  <b>Baldwin, Stanley</b>  <b>Balfour, Rt Hn A. J. (City Lond.)</b>  <b>Barrie, H. T. (Londonderry, N.)</b>  <b>Beckett, Hon. Gervase</b>  <b>Bowie, G. Stewart</b>  <b>Bull, Sir William James</b>  <b>Butcher, Samuel Henry</b>  <b>Campbell, Rt. Hon. J. H. M.</b>  <b>Carlile, E. Hildred</b>  <b>Cave, George</b>  <b>Coates, Major E. F. (Lewisham)</b>  <b>Collings, Rt. Hn. J. (Birmingh'm)</b>  <b>Courthope, G. Loyd</b>  <b>Doughty, Sir George</b>  <b>Douglas, Rt. Hon. A. Akers-</b>  <b>De Cros, Arthur Philip</b>  <b>Duncan, Robert (Lanark, Govan)</b>  <b>Faber, George Denison (York)</b>  <b>Fetherstonhaugh, Godfrey</b>  <b>Fletcher, J. S.</b>  <b>Gardner, Ernest</b>  <b>Gooch, Henry Cubitt (Peckham)</b>  <b>Gretton, John</b>  <b>Guinness, Hon. R. (Haggerston)</b> </p>	<p> <b>Guinness, W. E. (Bury S. Edm.)</b>  <b>Hamilton, Marquess of</b>  <b>Harris, Frederick Leverton</b>  <b>Harrison-Broadley, H. B.</b>  <b>Hay, Hon. Claude George</b>  <b>Helmsley, Viscount</b>  <b>Hill, Sir Clement</b>  <b>Hope, James Fitzalan (Sheffield)</b>  <b>Houston, Robert Paterson</b>  <b>Kerry, Earl of</b>  <b>Lambton, Hon. Frederick Wm.</b>  <b>Lane-Fox, G. R.</b>  <b>Law, Andrew Bonar (Dulwich)</b>  <b>Lockwood, Rt. Hn. Lt.-Col. A. R.</b>  <b>Long, Rt. Hn. Walter (Dublin, S)</b>  <b>Lowe, Sir Francis William</b>  <b>Lyttelton, Rt. Hon. Alfred</b>  <b>MacCaw, William J. MacGeagh</b>  <b>M'Arthur, Charles</b>  <b>Marks, H. H. (Kent)</b>  <b>Meysey-Thompson, E. C.</b>  <b>Moore, William</b>  <b>Morgan, J. Lloyd (Carmarthen)</b>  <b>Morpeth, Viscount</b>  <b>Nield, Herbert</b>  <b>Oddy, John James</b>  <b>Pease, Herbert Pike (Darlington)</b> </p>	<p> <b>Radford, G. H.</b>  <b>Randles, Sir John Scurrah</b>  <b>Rawlinson, John Frederick Peel</b>  <b>Remnant, James Farquharson</b>  <b>Roberts, S. (Sheffield, Ecclesall)</b>  <b>Rothschild, Hon. Lionel Walter</b>  <b>Rutherford, John (Lancashire)</b>  <b>Rutherford, W. W. (Liverpool)</b>  <b>Salter, Arthur Clavell</b>  <b>Sandys, Lieut.-Col. Thos. Myles</b>  <b>Smith, F. E. (Liverpool, Walton)</b>  <b>Talbot, Lord E. (Chichester)</b>  <b>Thornton, Percy M.</b>  <b>Valentia, Viscount</b>  <b>Walker, Col. W. H. (Lancashire)</b>  <b>Walrond, Hon. Lionel</b>  <b>Williams, Col. R. (Dorset, W.)</b>  <b>Wilson, W. T. (Westhoughton)</b>  <b>Winterton, Earl</b>  <b>Wyndham, Rt. Hon. George</b>  <b>Younger, George</b> </p> <p> <b>TELLERS FOR THE NOES—Sir</b>  <b>Frederick Banbury and Mr.</b>  <b>Fell.</b> </p>
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SIR F. BANBURY moved to amend the same clause by substituting twelve for sixteen years as the apparent age of a person to whom it should be an offence to sell tobacco. He did not think it was necessary to elaborate this point, because sixteen was a good age at which a boy might be allowed to smoke without injury.

\*MR. RAWLINSON in seconding the Amendment said the object of the section was to prevent people under sixteen from smoking. To put into this clause the age of sixteen was a great hardship. This was a section which made it an offence to sell to any person apparently under the age of sixteen, tobacco or cigars, and, in view of that fact the limit ought to be considerably under the age at which it became criminal to smoke. By this proposal they were putting a very severe restriction upon people who sold tobacco. Surely there ought to be some margin between the age at which it became penal to smoke and the age at which they were entitled to sell. If they made it penal for the tobacconist to sell to anybody under the age of sixteen they would find great difficulty in enforcing the Bill because the sympathies of the public would not go as far as the Bill proposed. He thought the Govern-

ment might well accept this or some similar Amendment.

**Amendment proposed—**

“ In page 23, line 15, to leave out the word ‘ sixteen ’ and to insert the word ‘ twelve. ’ ”—  
(*Sir F. Banbury.*)

. Question proposed, "That the word sixteen ' stand part of the clause."

\*MR. HERBERT SAMUEL expressed his obligation to the hon. Baronet for moving his Amendment so succinctly. He could not follow the arguments of the hon. and learned Member opposite that it was necessary to have a different age in Clause 39 from that which was contained in Clause 40. If they considered it was wrong for a person under the age of sixteen to smoke it was equally wrong for a tobacconist to sell to a person under that age, and the most natural thing to do was to fix the same age in both cases. He did not see why they should fix a different age for the selling of tobacco. As for the undergraduate who looked under sixteen and might be refused cigarettes, such undergraduates would not be frequently seen either at Oxford or Cambridge. The proposal contained in ~~this Bill~~ followed the recommendation of the ~~Committee~~ <sup>mis-</sup>sions who ~~had~~ <sup>had</sup>



Levy, Sir Maurice  
 Lloyd-George, Rt. Hon. David  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 McCullum, John M.  
 McCrae, Sir George  
 McLaren, Sir C. B. (Leicester)  
 McLaren, H. D. (Stafford, W.)  
 McMicking, Major G.  
 Maddison, Frederick  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Connor, John (Kildare, N.)  
 O'Grady, J.  
 O'Malley, William  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)

Pearce, William (Limehouse)  
 Perks, Sir Robert William  
 Philipps, Owen C. (Pembroke)  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Redmond, William (Clare)  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Runciman, Rt. Hon. Walter  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Sandys, Lieut.-Col. Thos. Myles  
 Scarisbrick, T. T. L.  
 Schwann, Sir C. E. (Manchester)  
 Sears, J. E.  
 Seddon, J.  
 Seely, Colonel  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)

Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Tomkinson, James  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Williams, Osmond (Merioneth)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—  
 Master of Elibank and Mr.  
 Herbert Lewis.

## NOES.

Acland-Hood, Rt Hn. Sir Alex. F.  
 Agar-Robartes, Hon. T. C. R.  
 Anson, Sir William Reynell  
 Arnold-Forster, Rt. Hn. Hugh O.  
 Atherley-Jones, L.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt Hn. A. J. (City Lond.)  
 Barrie, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Butcher, Samuel Henry  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Lord R. (Marylebone, E.)  
 Chaplin, Rt. Hon. Henry  
 Collings, Rt. Hn. J. (Birmingh'm)  
 Collins, Sir Wm. J. (S. Pancras, W)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey

Fletcher, J. S.  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kimber, Sir Henry  
 Lambton, Hon. Frederick Wm.  
 Lane-Fox, G. R.  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Moore, William  
 Morpeth, Viscount  
 Myer, Horatio  
 Nield, Herbert

Nolan, Joseph  
 Oddy, John James  
 Pickersgill, Edward Hare  
 Radford, G. H.  
 Randles, Sir John Scurrah  
 Raphael, Herbert H.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Roberts, S. (Sheffield, Ecclesall)  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Salter, Arthur Clavell  
 Smith, F. E. (Liverpool, Walton)  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hn. J. G. (Oxf'd Univ.)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wolff, Gustav Wilhelm  
 Wortley, Rt. Hn. C. B. Stuart-  
 Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Sir  
 Frederick Banbury and Mr.  
 Lupton.

LORD R. CECIL, in seconding, appealed to the Under-Secretary to accept this Amendment because it would not make any serious difference to the Bill. If in point of fact the cigarettes were bought by a person for his own use an offence would be committed, but if they were genuinely bought for somebody else an offence would not be committed, and he submitted that that was not an unreasonable provision. The Under-Secretary would see the great difficulty in which he was placed by forbidding altogether the sending of boys to a tobacconist. By Section 43 anybody who could afford to keep a servant would be free from the effect of the clause. It was rather singular that if they wished to send for tobacco or a large cigar they could send a boy, but if they wished to send for a cigarette or a cigarette paper an offence would be committed. Surely that was very unreasonable, and it would not be the wish of the Under-Secretary to lay down that working men might smoke cigars or tobacco as much as they liked, and send their boys for them, whilst he forbade them sending their boys for cigarettes or cigarette papers. A very grave question would arise under Section 43. If a boy was in one's service one would be entitled to send him. The Under-Secretary knew the great difficulty of deciding who was in a person's service and who was not. It would be quite easy to arrange that a boy should be technically in a person's service, and the moment they had done that they would be free to send him to any tobacconist in the kingdom for cigarettes. Those words really formed part of the Bill when the Under-Secretary had in mind a different conception of what he required by legislation. A great many exceptions had been made, and the Under-Secretary would do well to accept this Amendment, which would not affect the working of the Bill and would go a long way to meet the views of those who were opposed to this clause.

Another Amendment proposed to the Bill—

"In page 23, line 15, to leave out the word 'whether.'"—(Sir Frederick Banbury.)

Question proposed, "That the word 'whether' stand part of the Bill."

\*MR. HERBERT SAMUEL said that from the first a distinction had been drawn between cigarettes and other tobacco. The natural course, no doubt, would be to say that no cigarettes, or tobacco, or cigars should be sold to any person under the age of sixteen. But what were the circumstances with which they were faced? The case of the man who sent out his boy to fetch some tobacco was one which they were anxious to meet, because, on the one hand, while they wanted to stop the evil of juvenile smoking, believing that in the interest of the population that was necessary, they did not want to say, merely because they wanted to stop the smoking of cigarettes by boys, that a working-man who wished to stay at home might not send out his boy for an ounce of tobacco for his pipe. On the other hand, if they were to say that cigarettes might be sold to a boy, unless the tobacconist knew that they were for his own use, as the Amendment proposed, they would be putting into the Bill a provision which would be obviously inoperative. There might be some cases in which it could be proved that the tobacconist had reason to know that the cigarettes were for the boy's own use, but they would be very rare. He asked hon. Members not to look at this Amendment from the point of view of general hostility to the clause. If what they wanted was a clause which would really stop juvenile smoking, would it be of any use to say that a tobacconist should not sell cigarettes to a boy for his own use, but might sell them if the boy said that they were not for his own use? If they did so, the clause would be inoperative. On the other hand, were they to say that no tobacco should be sold to any child whether for his own use or not? That would be very harsh on a parent who could not send his boy to buy tobacco. After all, the evil with which they had to deal was not that of little boys who smoked cigars. They were dealing with the widespread and growing evil arising out of the practice of little boys smoking cigarettes. The Bill provided that a tobacconist might not sell other tobacco to a boy if he knew that it was for the boy's own use, but he admitted that the provision was likely to be frequently acted upon. There might be cases in which a tobacconist knew that

for any man. When this Bill came before them on the Report stage he read it, and for the first time he then became aware of the fact that these clauses were in it. One or two previous speakers had asked a question which had not been answered. He thought it was a question which ought to be answered by the Irish Attorney-General. Reference had been made to language which occurred in Clauses 39 and 40. The words referred to sales to a person "apparently under the age of sixteen years." He was no lawyer, but it appeared to him that the introduction of those words meant that a very wide discretion was to be given to the police in uniform, and that in the event of their action being unjustified the words would be used to guard them from any charge that might be levelled against them. He imagined that was the reason why the words were put in. He only wished to make that comment upon it. They had heard, from time to time—not so much from that side of the House as from other quarters—criticisms passed upon the police with regard to the performance of their duties. If they were going deliberately to create new crimes, and give to the police so wide a discretion as was to be given by the language of the clauses referred to, then the least they could do was not to complain of the way in which they were doing their work, and to realise that Parliament was putting on them an invidious and difficult task. He thought it would be better to make it clear that the offence only arose when a sale was made to a child under sixteen years of age, and that the word "apparently" should be left out. He did not know whether the word had been introduced in previous Acts of Parliament. His recollection was that in previous cases the limitation was to children under a particular age. He did not think the word "apparently" had been used.

THE ATTORNEY - GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) said that under Clause 39 the offence consisted in selling to a person under sixteen years of age. If a boy was apparently over that age, but, as a matter of fact, was under the age, the vendor could not be convicted. The provision was, he thought, a very useful

*Mr. Walter Long.*

one. Some boys at fifteen years of age looked eighteen or nineteen.

MR. WALTER LONG said that was not really what he asked, but, almost unconsciously, the right hon. Gentleman had answered what he asked. Shortly, the answer amounted to this. The clause allowed vendors to be guided in regard to age solely by their judgment of the appearance of the persons buying.

MR. CHERRY thought that so far as Clause 39 was concerned the effect was certainly that the vendor could not be convicted if he dealt with a boy who, as a matter of fact, was under sixteen, if in appearance he was more than sixteen. In Clause 40 the word protected a constable or a park keeper if he seized any cigarettes or cigarette papers from a boy who, though over sixteen years of age, was apparently under that age. Really the word "apparently" in the two clauses had a different effect. The hon. Member for North Armagh had referred to the bearing of Clause 39 on sales by post. The words of the clause did not apply to sales by post. If a vendor sold tobacco by post, he sold it in the ordinary course, and he could not be convicted. It was quite true that they could not stop every possible means open to boys for buying tobacco and cigarettes. They had dealt with one or two ways of restricting the sales.

MR. JAMES CAMPBELL (Dublin University) said it seemed to him that the Attorney-General for Ireland, in defining the word "apparently," had furnished the House with the strongest possible argument for the omission of Section 39, because if he was right in what he said as to the true effect of the word in that section, and if he was right in the view that it meant something diametrically opposite to what it meant in the following section, then all he could say was that it was a very great hardship indeed to impose on the vendors of tobacco liability to a penalty in the way proposed.

\*MR. HERBERT SAMUEL said that if it was found that a boy who was apparently under sixteen was in fact over sixteen, the tobacconist could not be penalised.

in the parks. There was no clause which interfered with girls smoking in the parks. If the words proposed to be left out were taken from the clause, then it would read that the offence was to sell to a messenger for his own use. It had been stated that on the medical evidence given before the Commission it did not appear that there was any smoking among girls amounting to a national evil. If there was no smoking among girls it was obvious that cigarettes sold to a young girl would not be for her own use. Take the case of a father who had no sons, and who might want to send his little girl to buy cigarettes for his own use. Unless there was the exemption proposed by the hon. Baronet, the father could not do that. It would be absurd to suggest that a little girl of twelve years of age wanted to buy cigarettes to smoke herself. He thought that if a child could be sent out to buy candles, meat, or any other household commodity, it should not be made an offence to sell a little girl a packet of cigarettes, where no danger of her using them herself might be apprehended. He pressed the hon. Gentleman in charge of the Bill to accept the Amendment.

\*Mr. CAVE thought they were all agreed that the law on this subject ought to be simple and clear. If a boy fifteen years of age went into a tobacconist's shop and said that his father or his employer had sent him for a packet of tobacco or a cigar of some size, because a small cigar had not yet been defined, the tobacconist might serve him; but if the boy said that his father had sent him for a packet of cigarettes or a small cigar, then no sale could safely be made. An exception was to be made in the case of a boy messenger in uniform and employed by a company, but not in that of a page-boy in uniform employed by a private individual. Was not that perfectly absurd? Was it not making a distinction which had no real foundation in reason and which would lead to a considerable hardship on tradesmen? Then, how was a tradesman to know whether a cigar was small or large? There was no definition as to its length or thickness.

pieces, for the purpose of smoking them; or to buy tobacco and then make it into cigarettes themselves. A simple way of dealing with the difficulty would be to make the proviso in Clause 44 apply to all tobacco sales. That was to say, that if a tradesman was satisfied in his own mind that a child was not going to smoke the tobacco or the cigar he might sell it to the child. That was a reasonable precaution to take to protect the child, and, at the same time, to allow people to send their children to buy cigarettes for them.

\*Mr. HERBERT SAMUEL said that the prohibition of the sale of cigarettes to children must be made absolute in order to be made effective. An exception had been made in the case of boys sent by a messenger company, but that was no reason why he should make other concessions in the case of other boys.

Mr. JESSE COLLINGS asked how the concession of the hon. Gentleman would affect the great majority of towns and villages where no district messengers existed?

\*Mr. HERBERT SAMUEL said that in these places the father could not send his son for cigarettes; he must send someone other than a child. As a matter of fact, cigarettes were not smoked so frequently as tobacco by the working classes. An exception had been made in the case of messenger boys employed by a company to meet an exceptional case, but he did not see why that concession should be made use of in order to destroy the efficacy of the remainder of the Bill. That was what the acceptance of the Amendment would do.

Mr. CLAUDE HAY (Shoreditch, Hoxton) said that the hon. Gentleman had endeavoured to consult public convenience by making the concession in the case of page boys or uniformed messengers of a messenger company, but he thought it was unfair and unreasonable to give an advantage to a small public, and deny it to



Levy, Sir Maurice  
 Lloyd-George, Rt. Hon. David  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 McCullum, John M.  
 McCrae, Sir George  
 McLaren, Sir C. B. (Leicester)  
 McLaren, H. D. (Stafford, W.)  
 McMicking, Major G.  
 Maddison, Frederick  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Connor, John (Kildare, N.)  
 O'Grady, J.  
 O'Malley, William  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)

Pearce, William (Limehouse)  
 Perks, Sir Robert William  
 Philipps, Owen C. (Pembroke)  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Redmond, William (Clare)  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Runciman, Rt. Hon. Walter  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Sandys, Lieut.-Col. Thos. Myles  
 Scarisbrick, T. T. L.  
 Schwann, Sir C. E. (Manchester)  
 Sears, J. E.  
 Seddon, J.  
 Seely, Colonel  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)

Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Tomkinson, James  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Williams, Osmond (Merioneth)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—  
 Master of Elibank and Mr.  
 Herbert Lewis.

## NOES.

Acland-Hood, Rt Hn. Sir Alex. F.  
 Agar-Robartes, Hon. T. C. R.  
 Anson, Sir William Reynell  
 Arnold-Forster, Rt. Hn. Hugh O.  
 Atherley-Jones, L.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt Hn. A. J. (City Lond.)  
 Barrie, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Butcher, Samuel Henry  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Lord R. (Marylebone, E.)  
 Chaplin, Rt. Hon. Henry  
 Collings, Rt. Hn. J. (Birmingh'm)  
 Collins, Sir Wm. J. (S. Pancras, W)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey

Fletcher, J. S.  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kimber, Sir Henry  
 Lambton, Hon. Frederick Wm.  
 Lane-Fox, G. R.  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Moore, William  
 Morpeth, Viscount  
 Myer, Horatio  
 Nield, Herbert

Nolan, Joseph  
 Oddy, John James  
 Pickersgill, Edward Hare  
 Radford, G. H.  
 Randles, Sir John Scurrah  
 Raphael, Herbert H.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Roberts, S. (Sheffield, Ecclesall)  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Salter, Arthur Clavell  
 Smith, F. E. (Liverpool, Walton)  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hn. J. G. (Oxf'd Univ.)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wolff, Gustav Wilhelm  
 Wortley, Rt. Hn. C. B. Stuart-  
 Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Sir  
 Frederick Banbury and Mr.  
 Lupton.

MR. BOWLES (Lambeth, Norwood), in moving to insert, after the first word "person" the word "knowingly," said that the purpose of the Amendment was clear and obvious on the face of it. It was to ensure that the penalties, disabilities, and very serious consequences which the clause entailed upon a certain person should not be imposed upon him without his "knowingly" committing the offence constituted under the Act. This Amendment was essential unless very grave and serious injustice was to be done in practice so as to bring a reproach on the House and on the law itself. The object of the clause was to prevent boys from smoking cigarettes in public places. For his part, he did not believe that it could be done; but if one believed that it could be done it should be done with reasonable care for the very serious and vital interests of those who would be involved by this legislation. It appeared to him that as the clause was drawn, the whole burden, risk, and responsibility would rest not upon the parent mainly, not on the boy mainly, but upon the small retailer who sold the cigarettes. If it were assumed that it was an evil and a wrong thing to smoke cigarettes, then, he maintained, the responsibility should be put on the parent or guardian, who, however, got off. The next responsible person, no doubt, was the boy himself, but he got off with a reprimand. The one man whom this clause would strike at inevitably every time, was the tobacconist. He was certain that the form of offence here set up against the tobacconist was entirely new and very extraordinary, because, unless he entirely misapprehended the effect of the clause, this man might be and must be, if the clause were to operate at all, haled before a Court of Summary Jurisdiction and charged with a crime which it might be shown he had neither knowledge that he was committing nor intent of committing. His knowledge of the retail tobacco trade was nil, and he had no interest in it; but it appeared to him to be a very strange thing indeed to hale a man before a Court and brand him as a criminal and perhaps ruin him in business and reputation because, in the rush of business that went on in those small shops where cigarettes were sold, a man might not have carefully looked at two or three

boys who came into his shop, or having honestly exercised his best judgment he had come to the conclusion that they were not "apparently" under the age of sixteen. He did not suppose that any hon. Member would desire to screen a man who, knowing what he was doing, chose to do it for profit, or any man who, having reasonable cause to know or being in a position to have reasonable cause to know that the boy was under the age of sixteen; but unless the word he desired to put in the clause was inserted, a man might be ruined, if not financially, in reputation and in business, for doing a thing which at the time he committed it he did not know was a crime. He begged to move.

#### Amendment proposed—

"In page 23, line 14, after the first word 'person,' to insert the word 'knowingly.'"—*(Mr. Bowles.)*

Question proposed, "That the word 'knowingly' be there inserted."—*(Mr. Bowles.)*

\*MR. HERBERT SAMUEL said he did not understand whether the hon. Member proposed to substitute for the word "apparently" after the second "person" the word "knowingly" after the first "person." The hon. Gentleman could not have both words.

SIR F. BANBURY said he intended to move to leave out "apparently" afterwards.

\*MR. HERBERT SAMUEL said he gathered that the consequential Amendment would be moved to leave out "apparently" after the word "knowingly" had been inserted. He would point out that the effect would be to make the clause absolutely unworkable. It could rarely be proved that the tobacconist knew that the boy was under the age of sixteen. He would always say that he did not know that the boy was under sixteen. They must deal with a tobacconist who had reasonable cause to know that the boy was under sixteen. He pointed out that in a great number of statutes precisely this form of words was adopted—of using "apparently"



and not "knowingly." It was employed in the Pawnbrokers Act of 1872. In the Pawnbrokers Act there was a section which laid it down that they should not deal with anybody apparently under the age of twelve, and in the Intoxicating Liquors Act of 1872 a licensed person was prohibited, under a penalty, from selling to any person apparently under the age of sixteen years. The word "knowingly" was not there, and it was the law of the land operating that night in every public-house all over the Kingdom, by which publicans were debarred from selling to persons apparently under the age of sixteen. Then, again, there was the Explosive Substances Act, where provision in regard to the sale to children was in precisely the same words. Lastly, it was provided that general dealers should not sell to or purchase from any person apparently under the age of fourteen, whether he was acting on his own behalf or for any other person. Therefore, the draftsman had followed the ordinary form of words, which had not given rise to any trouble, and would not give rise to it. If the word "knowingly" were inserted no conviction could be obtained unless it was in the case of some very small child indeed. For that reason it was impossible for the Government to accept this Amendment, as it would make the clause absolutely useless.

Amendment negatived.

SIR F. BANBURY moved the omission of the word "apparently." He presumed it was the object of the Government, having obtained the clause, to make it as workable as possible, and to inflict as little hardship as possible on people who would be convicted under the Act. The Under-Secretary had told them of certain Acts of Parliament in which the same word was used, and said that no hardship had arisen in those cases. Of course, the Explosives Act was not an Act very often used in the case of children, and, therefore, the necessity to quote it hardly arose. The Intoxicating Liquors Act was no doubt an Act which might apply to children, but unless he was very much mistaken in the Sale of Liquor to Children Bill, which was passed some five or six years ago, the word "knowingly" was

*Mr. Herbert Samuel.*

put in instead of "apparently." He remembered, he thought it was last session, the right hon. Baronet the Member for the Forest of Dean making some remarks upon the bad drafting of a clause which was then before the House. He was told by the member of the Government in charge of the Bill that there was a precedent for it in such-and-such an Act of Parliament, and when the right hon. Gentleman later on in the same debate objected again to the drafting of the Act he was met with the same answer. His reply was that he did not know that there were so many Acts of Parliament so badly drafted, but the fact that there were was no reason why the Government should bring forward another Bill also badly drafted. He thought that was an excellent argument, and it seemed to him unanswerable. There was no reason why, because they made a mistake in 1872, they should perpetuate it in 1908. Then the hon. Gentleman had told them that if a man was prosecuted for an offence under this Bill and the child turned out to be over sixteen years of age, there would, of course, be no conviction. But if the Under-Secretary would turn to Section 122, subsection (2), he thought he would find he was mistaken.

MR. HERBERT SAMUEL asked if the hon. Member would look at subsection (4).

SIR F. BANBURY said he would like to look at the other one first. If the hon. Gentleman looked at subsection (2) he would find these words—

"Where on a charge or indictment for an offence under this Act, or any of the offences mentioned in the First Schedule of this Act, it is alleged that the person by or in respect of whom the offence was committed was a child or young person or was under or above any specified age, and he appears to the Court to have been at the date of the commission of the alleged offence a child or young person, or to have been under or above the specified age as the case may be, he shall for the purposes of this Act be presumed at that date to have been a child or young person or to have been under or above that age as the case may be unless the contrary is proved."

MR. HERBERT SAMUEL said the hon. Member ought to emphasise those

towns like Liverpool and Manchester, where it would be almost impossible for him to find out the age of a particular customer. In the Bill, the only offences were those of selling to children under age, but in this section, apparently, there was no limitation as to age.

MR. BONAR LAW (Camberwell, Dulwich) said that this was a point on which there really ought not to be any difference of opinion. It simply had reference to the best way of dealing with the matter in question. His right hon. friend behind him had shown in the clearest possible way that by the clause, as it stood, the burden of proof rested on the trader who sold the material. That was a point the hon. Gentleman had not dealt with. It was true, as the hon. Gentleman had said, that there were precedents both ways, but that was not the point. The point was, what was the best thing to do, and, in the nature of things, the fair way in which to deal with this matter. The hon. Gentleman said it was impossible for the prosecutor to find out the age of a person; if that were so, how in the name of common-sense was the tobacconist to find out what the age of a person was? Further, the hon. Gentleman had said that it was rather an advantage if they made the law that the tobacconist was not to sell to anyone unless he had a beard or a big moustache, who was quite safe, and a long way above the age. He suggested that they should adopt the proper course, the course adopted in almost everything, to assume that a man was innocent until he was proved to be guilty, and put the burden of proof on the prosecutor, and not on the man who sold.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said, anxious and willing as they were to protect children, they had also to consider, in

connection with a section like this, that common justice should be done to a large number of tradesmen. They had to remember the thousands of people in this country who were doing a perfectly legitimate business in selling tobacco and cigarettes. They had no right, in their endeavour to put an end to juvenile smoking, to adopt a clause which would do a gross injustice to the whole of the tobacconists in the kingdom. They had no right to place them in the position of being presumed to be guilty of an offence unless it was really the fact that they were guilty. It was for the prosecution to make out that the actual offence of selling cigarettes to a person under the age of sixteen had been committed. As had been pointed out, there was the further defence that if a tradesman was able to show that his customer was apparently over that age it would obviously meet the justice of the case. For these reasons, he strongly supported the Amendment.

LORD R. CECIL said he could not support the Amendment for the reason that it seemed to him that if this word were struck out, and it happened that the person to whom he sold was under sixteen, the tobacconist who sold cigarettes by post would then be guilty of the offence and have no defence at all. Again, a much simpler case, if a boy sent an older brother into a shop to buy for him cigarettes, in law the transaction would be with the younger brother and the tobacconist would be guilty of the offence. He quite appreciated the difficulty raised by his hon. friend, although he would not be able to vote for his Amendment.

Question put.

The House divided :—Ayes, 241 ; Noes, 75. (Division List No. 249.)

#### AYES.

Abraham, William (Cork, N.E.)  
Abraham, William (Rhondda)  
Acland, Francis Dyke  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Asquith, Rt. Hon. Herbert Henry  
Astbury, John Meir  
Atherley-Jones, L.

Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barry, Redmond J. (Tyrone, N.)  
Beauchamp, E.  
Beck, A. Cecil  
Bellairs, Carlyon  
Benn, Sir J. Williams (Devonp'rt)

Benn, W. (T'w's Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Black, Arthur W.  
Boland, John  
Boulton, A. C. F.  
Bowerman, C. W.  
Brace, William

ing it. Instead of making it more difficult for them he did not see why they should not be encouraged.

Amendment proposed—

“ In page 23, line 14, to leave out the word ‘ apparently.’ ”—(*Sir F. Banbury.*)

Question proposed, “ That the word ‘ apparently’ stand part of the Bill.”

\*MR. STUART WORTLEY (Sheffield, Hallam) contended that if this Amendment was successful, a valuable protection would be withdrawn from this trade. He had no doubt that the word “ apparently ” was a protection to the trader. He also had no doubt that the existence of the appearance of the age would be a matter of fact to be found by the tribunal, and not a matter for the judgment of the trader. It was quite true that it had a curiously different effect in the two clauses. The intention was that the child should be sixteen years old and should look sixteen. There were then two conditions that had to be satisfied. In this clause this word operated to the protection of the trader and the smoker. In the next it made for the protection of the smoker alone, because it made it more difficult for the policeman to intervene. The reason for this was that the draftsman had adopted a circuitous method of saying a simple thing. He might have said: “ Any person being and appearing to be sixteen,” instead of which he had said something else which was capable of the construction that a person who was over sixteen, but who looked under sixteen, should be a person who should not be able to buy tobacco. The result was that in some obscure clause miles away it was necessary to put in qualifying words. The trader was in a better position with this word “ apparently ” than he would be if the word had been “ knowingly.” He hoped the Amendment would not be accepted.

MR. CHERRY said the word “ apparently ” protected the trader and no one else. In the case of a boy who was really under the age of sixteen, but who looked eighteen, and who came in and bought cigarettes, the trader, when prosecuted, would immediately defend

*Mr. Fell.*

himself by the appearance of the boy. In the converse case of a boy over sixteen, but who appeared to be under that age, the vendor by proving the boy’s age would be able to escape the charge. In both cases the word “ apparently ” was only applicable to the vendor, and could not apply to anybody else. The right hon. Gentleman opposite and hon. Members who moved and seconded the Amendment admittedly did so in the interest of the tobacconist. If they took this section and Section 122 together, and the two cases he had mentioned, they would see that in both cases the vendor was protected.

MR. LAMBTON agreed that the vendor was protected, but called attention to the effect of this word on the public. The unfortunate youth who was eighteen, but who looked younger, would not be allowed to buy cigarettes at all. If people looked younger than sixteen, the tobacconists would refuse to serve them. They would go into the tobacconist and say they wanted a packet of cigarettes, and the tobacconist would say: “ You look under the age of sixteen, and I cannot serve you.” That would be a distinct infringement of the liberty of the subject. Those who were over, but who looked to be under the age of sixteen, had a perfect right to go into a shop and demand to be served with tobacco. This word was no good, and might, he thought, be left out.

SIR F. BANBURY called attention to the fact that the Attorney-General for Ireland had forgotten to deal with the case of the boy who was under sixteen, but who looked eighteen. Such a boy might go in and be served with a packet of cigarettes. Some person who knew his real age might see this done and give information to the police. The police might then prosecute the tobacconist for selling cigarettes to a boy apparently under the age of sixteen. The defence of the tobacconist would be that the boy looked eighteen. The magistrates might admit that he did, and, having turned to Section 122, might say: “ As he appears to us to be over sixteen years of age we do not convict.” But the prosecutor would then point

## NOES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
 Anson, Sir William Reynell  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hon. A. J. (City Lond.)  
 Barrie, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase  
 Bowles, G. Stewart  
 Ball, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hon. J. (Birmingham)  
 Courthope, G. Loyd  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 De Crois, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Featherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Gardner, Ernest  
 Gooch, Henry Cubitt (Peckham)  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)

Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kerry, Earl of  
 Lambton, Hon. Frederick Wm.  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 Long, Rt. Hon. Walter (Dublin, S)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Moore, William  
 Morgan, J. Lloyd (Carmarthen)  
 Morpeth, Viscount  
 Nield, Herbert  
 Oddy, John James  
 Pease, Herbert Pike (Darlington)

Radford, G. H.  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Roberts, S. (Sheffield, Ecclesall)  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sandys, Lieut.-Col. Thos. Myles  
 Smith, F. E. (Liverpool, Walton)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Williams, Col. R. (Dorset, W.)  
 Wilson, W. T. (Westhoughton)  
 Winterton, Earl  
 Wyndham, Rt. Hon. George  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Frederick Banbury and Mr.  
 Fell.

SIR F. BANBURY moved to amend the same clause by substituting twelve for sixteen years as the apparent age of a person to whom it should be an offence to sell tobacco. He did not think it was necessary to elaborate this point, because sixteen was a good age at which a boy might be allowed to smoke without injury.

\*MR. RAWLINSON in seconding the Amendment said the object of the section was to prevent people under sixteen from smoking. To put into this clause the age of sixteen was a great hardship. This was a section which made it an offence to sell to any person apparently under the age of sixteen, tobacco or cigars, and, in view of that fact the limit ought to be considerably under the age at which it became criminal to smoke. By this proposal they were putting a very severe restriction upon people who sold tobacco. Surely there ought to be some margin between the age at which it became penal to smoke and the age at which they were entitled to sell. If they made it penal for the tobacconist to sell to anybody under the age of sixteen they would find great difficulty in enforcing the Bill because the sympathies of the public would not go as far as the Bill proposed. He thought the Govern-

ment might well accept this or some similar Amendment.

## Amendment proposed—

"In page 23, line 15, to leave out the word 'sixteen' and to insert the word 'twelve.'"—  
 (Sir F. Banbury.)

Question proposed, "That the word 'sixteen' stand part of the clause."

\*MR. HERBERT SAMUEL expressed his obligation to the hon. Baronet for moving his Amendment so succinctly. He could not follow the arguments of the hon. and learned Member opposite that it was necessary to have a different age in Clause 39 from that which was contained in Clause 40. If they considered it was wrong for a person under the age of sixteen to smoke it was equally wrong for a tobacconist to sell to a person under that age, and the most natural thing to do was to fix the same age in both cases. He did not see why they should fix a different age for the selling of tobacco. As for the undergraduate who looked under sixteen and might be refused cigarettes, such undergraduates would not be frequently seen either at Oxford or Cambridge. The proposal contained in the clause followed the recommendation of the Commissions who had discussed the subject



point—that under the Criminal Law Amendment Act, and that under the Licensing Acts, the Pawnbrokers Act, the Metal Dealers Act, and the Explosives Act. The Criminal Law Amendment Act dealt with offences not in the slightest degree analogous to those which occurred under the other Acts. It dealt with grave crimes for which the penalty ran up to penal servitude for life—crimes which must be the subject of indictment, and in which, since the question often turned on the precise age of the person concerned, it was rightly required that there should be strict proof from the beginning as to whether the girl was under sixteen or thirteen, according to the section under which the proceedings were taken. Now the other statutes, on which the present Bill was modelled, had reference to the selling of spirits or liquors to children, to the dealings of pawnbrokers with children, to the transactions of metal dealers with children, and to the dealings of sellers of explosives with children. Surely, those were precisely analogous cases to the sale of cigarettes to children. In all these cases, if the person was apparently under age, then there was a *prima facie* case against the seller which he might be able to rebut by absolute proof that the child was over the age of sixteen or fourteen, or whatever the age might be, and if he could not rebut it, then he was liable to a penalty. That was the common-sense view of the case. If they had these young persons going into shops to buy these things, they could not require the police, before the prosecution took place of the tobacconist who sold the tobacco, to get proof by a birth certificate. It would be impossible for the Act to be worked at all if that were required. They must have a common-sense clause.

MR. JAMES CAMPBELL asked how it was proposed that the merchant should supply the proof of age if the prosecutor could not give the age.

\*MR. HERBERT SAMUEL: He would put it the other way. If the merchant could not give this evidence how could the prosecutor?

MR. JAMES CAMPBELL: The prosecutor could get it.

*Mr. Herbert Samuel.*

\*MR. HERBERT SAMUEL: So could the seller; the two were on the same footing. But as a matter of fact, even supposing that two persons, apparently under the age of sixteen, but actually somewhat older, were unable to get cigarettes, really, he thought that would be a very good thing. The very fact that they were under size, and looked less than their real age, made it inadvisable that they should be served with cigarettes. After all this was a class of case in which above all it was desirable that the sale should be prevented. If injustice were done on either side, he should prefer it on that side rather than the other. If the word “apparently” were left out of the clause it would be made absolutely unworkable, and for these reasons he must decline to accept the Amendment.

MR. MOORE asked the Attorney-General for Ireland to consider subsection (2) of Clause 122.

MR. CHERRY: Four.

MR. MOORE: The hon. Member for the City of London had also referred to subsection (2) of Clause 122, in considering this word “apparently.” He commended the consideration of this subsection to the House, for he thought they would find it absolutely unintelligible. It said—

“Where in a charge or indictment for any offence under this Act, etc., it is alleged that the . . . child or young person was under or above any specified age . . . he shall for the purpose of this Act be presumed . . . to have been a child or young person . . . under or above that age, as the case may be, unless the contrary is proved.”

The clause put in an alternative which made it absolutely meaningless. Applying that clause to the case of a tobacconist who had been charged, would the Minister inform them how he was to arrive at the presumption that the child was under age, or, as the section said, above the age at the time. It was a very important difference for the tobacconist, because the onus of proof was upon him to prove his innocence, which was contrary to the practice of the country. It threw upon him the onus of proof in circumstances in which it was very difficult for him to get documentary evidence, especially in

LORD R. CECIL, in seconding, appealed to the Under-Secretary to accept this Amendment because it would not make any serious difference to the Bill. If in point of fact the cigarettes were bought by a person for his own use an offence would be committed, but if they were genuinely bought for somebody else an offence would not be committed, and he submitted that that was not an unreasonable provision. The Under-Secretary would see the great difficulty in which he was placed by forbidding altogether the sending of boys to a tobacconist. By Section 43 anybody who could afford to keep a servant would be free from the effect of the clause. It was rather singular that if they wished to send for tobacco or a large cigar they could send a boy, but if they wished to send for a cigarette or a cigarette paper an offence would be committed. Surely that was very unreasonable, and it would not be the wish of the Under-Secretary to lay down that working men might smoke cigars or tobacco as much as they liked, and send their boys for them, whilst he forbade them sending their boys for cigarettes or cigarette papers. A very grave question would arise under Section 43. If a boy was in one's service one would be entitled to send him. The Under-Secretary knew the great difficulty of deciding who was in a person's service and who was not. It would be quite easy to arrange that a boy should be technically in a person's service, and the moment they had done that they would be free to send him to any tobacconist in the kingdom for cigarettes. Those words really formed part of the Bill when the Under-Secretary had in mind a different conception of what he required by legislation. A great many exceptions had been made, and the Under-Secretary would do well to accept this Amendment, which would not affect the working of the Bill and would go a long way to meet the views of those who were opposed to this clause.

Another Amendment proposed to the Bill—

"In page 23, line 15, to leave out the word 'whether.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the word 'whether' stand part of the Bill.

\*MR. HERBERT SAMUEL said that from the first a distinction had been drawn between cigarettes and other tobacco. The natural course, no doubt, would be to say that no cigarettes, or tobacco, or cigars should be sold to any person under the age of sixteen. But what were the circumstances with which they were faced? The case of the man who sent out his boy to fetch some tobacco was one which they were anxious to meet, because, on the one hand, while they wanted to stop the evil of juvenile smoking, believing that in the interest of the population that was necessary, they did not want to say, merely because they wanted to stop the smoking of cigarettes by boys, that a working-man who wished to stay at home might not send out his boy for an ounce of tobacco for his pipe. On the other hand, if they were to say that cigarettes might be sold to a boy, unless the tobacconist knew that they were for his own use, as the Amendment proposed, they would be putting into the Bill a provision which would be obviously inoperative. There might be some cases in which it could be proved that the tobacconist had reason to know that the cigarettes were for the boy's own use, but they would be very rare. He asked hon. Members not to look at this Amendment from the point of view of general hostility to the clause. If what they wanted was a clause which would really stop juvenile smoking, would it be of any use to say that a tobacconist should not sell cigarettes to a boy for his own use, but might sell them if the boy said that they were not for his own use? If they did so, the clause would be inoperative. On the other hand, were they to say that no tobacco should be sold to any child whether for his own use or not? That would be very harsh on a parent who could not send his boy to buy tobacco. After all, the evil with which they had to deal was not that of little boys who smoked cigars. They were dealing with the widespread and growing evil arising out of the practice of little boys smoking cigarettes. The Bill provided that a tobacconist might not sell other tobacco to a boy if he knew that it was for the boy's own use, but he admitted that the provision was not likely to be frequently acted upon. But there might be cases in which a parent knew that



Bramsdon, T. A.  
 Branch, James  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Causton, Rt. Hon. Richard Knight  
 Channing, Sir Francis Allston  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (St. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cox, Harold  
 Crooks, William  
 Curran, Peter Francis  
 Davies, Timothy (Fulham)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry

Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jardine, Sir J.  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kennaway, Rt. Hon. Sir John H.  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Leese, Sir Joseph F. (Accrington)  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Maddison, Frederick  
 Mallet, Charles E.  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Grady, J.  
 O'Malley, William  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Perks, Sir Robert William  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)

Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Ronaldshay, Earl of  
 Rose, Charles Day  
 Runciman, Rt. Hon. Walter  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Schwann, Sir C. E. (Manchester)  
 Sears, J. E.  
 Seddon, J.  
 Seely, Colonel  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Talbot, Rt. Hon. J. G. (Oxf'd Univ.)  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thompson, J. W. H. (Somerset, E.)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Wortley, Rt. Hon. C. B. Stuart-  
 Yoxall, James Henry

TELLERS FOR THE AYES.—  
 Master of Elibank and Mr.  
 Herbert Lewis.

in the parks. There was no clause which interfered with girls smoking in the parks. If the words proposed to be left out were taken from the clause, then it would read that the offence was to sell to a messenger for his own use. It had been stated that on the medical evidence given before the Commission it did not appear that there was any smoking among girls amounting to a national evil. If there was no smoking among girls it was obvious that cigarettes sold to a young girl would not be for her own use. Take the case of a father who had no sons, and who might want to send his little girl to buy cigarettes for his own use. Unless there was the exemption proposed by the hon. Baronet, the father could not do that. It would be absurd to suggest that a little girl of twelve years of age wanted to buy cigarettes to smoke herself. He thought that if a child could be sent out to buy candles, meat, or any other household commodity, it should not be made an offence to sell a little girl a packet of cigarettes, where no danger of her using them herself might be apprehended. He pressed the hon. Gentleman in charge of the Bill to accept the Amendment.

\*MR. CAVE thought they were all agreed that the law on this subject ought to be simple and clear. If a boy fifteen years of age went into a tobacconist's shop and said that his father or his employer had sent him for a packet of tobacco or a cigar of some size, because a small cigar had not yet been defined, the tobacconist might serve him; but if the boy said that his father had sent him for a packet of cigarettes or a small cigar, then no sale could safely be made. An exception was to be made in the case of a boy messenger in uniform and employed by a company, but not in that of a page-boy in uniform employed by a private individual. Was not that perfectly absurd? Was it not making a distinction which had no real foundation in reason and which would lead to a considerable hardship on tradesmen? Then, how was a tradesman to know whether a cigar was small or large? There was no definition as to its length or thickness. The clause as it stood would only encourage children to smoke large cigars or to buy large cigars and to cut them into small

pieces, for the purpose of smoking them; or to buy tobacco and then make it into cigarettes themselves. A simple way of dealing with the difficulty would be to make the proviso in Clause 44 apply to all tobacco sales. That was to say, that if a tradesman was satisfied in his own mind that a child was not going to smoke the tobacco or the cigar he might sell it to the child. That was a reasonable precaution to take to protect the child, and, at the same time, to allow people to send their children to buy cigarettes for them.

\*MR. HERBERT SAMUEL said that the prohibition of the sale of cigarettes to children must be made absolute in order to be made effective. An exception had been made in the case of boys sent by a messenger company, but that was no reason why he should make other concessions in the case of other boys.

MR. JESSE COLLINGS asked how the concession of the hon. Gentleman would affect the great majority of towns and villages where no district messengers existed?

\*MR. HERBERT SAMUEL said that in these places the father could not send his son for cigarettes; he must send someone other than a child. As a matter of fact, cigarettes were not smoked so frequently as tobacco by the working classes. An exception had been made in the case of messenger boys employed by a company to meet an exceptional case, but he did not see why that concession should be made use of in order to destroy the efficacy of the remainder of the Bill. That was what the acceptance of the Amendment would do.

MR. CLAUDE HAY (Shoreditch, Hoxton) said that the hon. Gentleman had endeavoured to consult public convenience by making the concession in the case of page boys or uniformed messengers of a messenger company, but he thought it was unfair and unreasonable to give this advantage to a small section of the public, and deny it to others.

MR. WILLIAM RUTHERFORD said he gathered that the objection of the Under-Secretary to the Amendment was that if it were adopted it would give tobacconists an opportunity of evading the penal clause of the Act. The tobacconist would be able to say that the boy had come into his shop and bought the cigarettes, stating that they were for his father or someone else, and that he had served him on that footing. They were all agreed that it was very desirable to prevent juvenile smoking, but they might be excused for taking a little extra time over this penal clause, seeing they were not dealing with boys or girls, but with the penalty to be imposed on the tobacconist. The clause as it stood would lead to some ludicrous results. Supposing he sent his son or a boy in his employment to a tobacconist for the purpose of purchasing a large cigar, or a packet of tobacco, the tobacconist could sell it; but if he sold the boy a small cigar or a packet of cigarettes there was a penalty. He thought that few people could form a very intelligent idea of the penalties which would be incurred in conducting the business of a tobacconist. If he sent a boy messenger in uniform, who by the way only existed in London—[At this point a woman ran into the Chamber within the Bar, and exclaimed: "Leave off discussing the children's question, and turn your attention to the women first." The woman was immediately carried out of the House by one of the attendants.] What he desired to point out was that of all the juveniles who indulged in smoking the very worst were those belonging to the Boys' Messenger Brigade, and yet these were the boys of whom the Under-Secretary had made an exception, and allowed to be sold cigarettes and small cigars. If in Liverpool, where there were no message boys in uniform, he sent a messenger to buy cigarettes, that would be an offence; but if he sent him to buy a large cigar there would be no offence. Undoubtedly at the present moment the working classes of this country did not consume large

quantities of cigarettes, but smoked tobacco in pipes. On the Continent, however, things were very different, and the habit of cigarette-smoking among the working classes might very easily be brought to this country. He had, indeed, himself noticed a very large increase of the practice of smoking cigarettes on the part of adults. He did not think the Under-Secretary's argument was sound that if they stopped the selling of cigarettes to boys they met the whole difficulty with which they intended to deal. Boys would smoke a small or large cigar, or anything which happened to be rolled up in tobacco-leaf. He would also point out in this connection this curious fact, that if a small cigar contained cabbage leaf there would be no offence, because in order to constitute an offence it had to contain tobacco. Therefore, it would be a good defence on the part of a tobacconist to say: "This is not tobacco; it is some weed, and entirely an imitation." At all events he suggested that if under this penal clause they were going to inflict these penalties of £2, £5, and £10, it ought to be proved to the Court at the time the penalty was inflicted that the sale was actually made to the juvenile for his own use. He very strongly supported this Amendment, and it seemed to him that when they were exacting a penalty they ought to prove the offence, and it could not be proved if a young boy or girl was sent by a parent or anybody else to purchase cigarettes. They had a perfect right to send him, and it was a gross interference with the liberty of the subject and with the trade of a large number of tradesmen that offences should be manufactured in this way, and that they should incur a penalty unless it could be shown by the prosecution that the intention of the young persons was to smoke the cigarettes themselves. He proposed to support the Amendment.

Question put.

The House divided :—Ayes, 187 ; Noes, 50. (Division List No. 250.)

# AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Alden, Percy

Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Atherley-Jones, L.

Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E)  
Balfour, Robert (Lanark)

Baring, Godfrey (Isle of Wight)  
Barry, Redmond J. (Tyrone, N.)  
Beauchamp, E.  
Beck, A. Cecil  
Bell, Richard  
Bellairs, Carlyon  
Benn, Sir J. Williams (Devonp'rt)  
Benn, W. (T'w'r Hamlets, S. Geo)  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Bethell, T. R. (Essex, Maldon)  
Black, Arthur W.  
Blanton, A. C. F.  
Bowerman, C. W.  
Brace, William  
Brasdon, T. A.  
Brash, James  
Bryg, John  
Brodie, H. C.  
Brooke, Stopford  
Burt, Rt. Hon. Thomas  
Byrne, William Pollard  
Cameron, Robert  
Channing, Sir Francis Allston  
Cherry, Rt. Hon. R. R.  
Clough, William  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Cottrell, C. H. (Sussex, E. Grinst'd)  
Cotton, Sir H. J. S.  
Cowan, W. H.  
Cox, Harold  
Crosby, William  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Dewar, Arthur (Edinburgh, S.)  
Duncan, J. H. (York, Otley)  
Dunn, A. Edward (Camborne)  
Edwards, Clement (Denbigh)  
Emery, R. W.  
Eskmont, George Birnie  
Evans, Sir Samuel T.  
Fadley, Alexander  
Faller, John Michael F.  
Fiderton, Hugh  
Fleming, Sir Christopher  
Fletcher, James (Harrow)  
Fleetstone, Rt. Hn Herbert John  
Foster, Thomas  
Goldard, Sir Daniel Ford  
Gough, George Peabody (Bath)  
Greenwood, G. (Peterborough)  
Greenwood, Hamar (York)  
Griffith, Ellis J.  
Griffith, John W.  
Gordon, Rt. Hn. Sir W. Brampton  
Hall, Frederick  
Harcourt, Robert V. (Montrose)  
Harde, J. Keir (Merthyr Tydvil)  
Hardy, George A. (Suffolk)  
Harnsworth, Cecil B. (Worc'r.)

Harvey, W. E. (Derbyshire, N. E.)  
Haslam, James (Derbyshire)  
Haslam, Lewis (Monmouth)  
Hazel, Dr. A. E.  
Henderson, Arthur (Durham)  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon., S.)  
Higham, John Sharp  
Hodge, John  
Holland, Sir William Henry  
Hope, W. Bateman (Somerset, N.)  
Horniman, Emslie John  
Hudson, Walter  
Idris, T. H. W.  
Jardine, Sir J.  
Jenkins, J.  
Johnson, John (Gateshead)  
Johnson, W. (Nuneaton)  
Jones, William (Carnarvonshire)  
Kennaway, Rt. Hn. Sir John H.  
Laidlaw, Robert  
Lambert, George  
Lea, Hugh Cecil (St. Pancras, E.)  
Leese, Sir Joseph F. (Accrington)  
Lever, A. Levy (Essex, Harwich)  
Levy, Sir Maurice  
Lupton, Arnold  
Macdonald, J. M. (Falkirk B'ghs)  
Maclean, Donald  
McCallum, John M.  
McCrae, Sir George  
McKenna, Rt. Hon. Reginald  
McLaren, Sir C. B. (Leicester)  
Maddison, Frederick  
Marks, G. Croydon (Launceston)  
Marnham, F. J.  
Massie, J.  
Menzies, Walter  
Mickleth, Nathaniel  
Middlebrook, William  
Molteno, Percy Alport  
Morgan, G. Hay (Cornwall)  
Morgan, J. Lloyd (Carmarthen)  
Morse, L. L.  
Myer, Horatio  
Nannetti, Joseph P.  
Newnes, F. (Notts, Bassetlaw)  
Newnes, Sir George (Swansea)  
Norton, Capt. Cecil William  
Nuttall, Harry  
O'Grady, J.  
Parker, James (Halifax)  
Pearce, Robert (Staffs, Leek)  
Pearce, William (Limehouse)  
Ponsonby, Arthur A. W. H.  
Price, C. E. (Edinb'gh, Central)  
Price, Sir Robert J. (Norfolk, E.)  
Radford, G. H.  
Raphael, Herbert H.  
Rea, Russell (Gloucester)  
Rea, Walter Russell (Scarboro')

Rees, J. D.  
Richards, Thomas (W. Monm'th)  
Richards, T. F. (Wolverh'mpt'n)  
Roberts, G. H. (Norwich)  
Roberts, Sir John H. (Denbighs.)  
Robertson, Sir G. Scott (Bradf'rd)  
Robertson, J. M. (Tyneside)  
Robson, Sir William Snowdon  
Roch, Walter F. (Pembroke)  
Rogers, F. E. Newman  
Rose, Charles Day  
Rutherford, V. H. (Brentford)  
Samuel, Herbert L. (Cleveland)  
Scarisbrick, T. T. L.  
Schwann, Sir C. E. (Manchester)  
Sears, J. E.  
Sherwell, Arthur James  
Shipman, Dr. John G.  
Simon, John Allsebrook  
Smeaton, Donald Mackenzie  
Snowden, P.  
Spicer, Sir Albert  
Stanger, H. Y.  
Stewart, Halley (Greenock)  
Stewart-Smith, D. (Kendal)  
Straus, B. S. (Mile End)  
Summerbell, T.  
Taylor, Theodore C. (Radcliffe)  
Tennant, H. J. (Berwickshire)  
Thomas, Sir A. (Glamorgan, E.)  
Thompson, J. W. H. (Somerset, E.)  
Tomkinson, James  
Verney, F. W.  
Vivian, Henry  
Walsh, Stephen  
Walters, John Tudor  
Walton, Joseph  
Wardle, George J.  
Warner, Thomas Courtenay '1.  
Wason, John Cathcart (Orkney)  
Watt, Henry A.  
Wedgwood, Josiah C.  
Weir, James Galloway  
White, J. D. (Dumbartonshire)  
White, Luke (York, E. R.)  
Whitehead, Rowland  
Whitley, John Henry (Halifax)  
Whittaker, Rt. Hn. Sir Thomas P.  
Williams, J. (Glamorgan)  
Williams, Col. R. (Dorset, W.)  
Wilson, Hon. G. G. (Hull, W.)  
Wilson, Henry J. (York, W. R.)  
Wilson, J. H. (Middlesbrough)  
Wilson, J. W. (Worcestersh. N.)  
Winfrey, R.  
Wood, T. M'Kinnon

TELLERS FOR THE 'AYES—  
Master of Elibank and Mr.  
Herbert Lewis.

NOES.

Arthur Hood, Rt. Hn. Sir Alex. F.  
Barrera, Lord  
Barn, H. T. (Londonderry, N.)  
Bell, Sir William James  
Campbell, Rt. Hon. J. H. M.  
Cuthbert, E. Hildred  
Cox, George  
Cuth, Lord John P. Joicoy-

Coates, Major E. F. (Lewisham)  
Collings, Rt. Hn. J. (Birmingham)  
Doughty, Sir George  
Douglas, Rt. Hon. A. Akers-  
Duncan, Robert (Lanark, Govan)  
Faber, George Denison (York)  
Fell, Arthur  
Fetherstonhaugh, Godfrey

Fletcher, J. S.  
Forster, Henry William  
Gooch, Henry Cubitt (Peckham)  
Gretton, John  
Guinness, Hn. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Harris, Frederick Leverton  
Hay, Hon. Claude George



Helmsley, Viscount  
Houston, Robert Paterson  
Lambton, Hon. Frederick Wm.  
Lane-Fox, G. R.  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Rt. Hn. Walter (Dublin, S)  
Lowe, Sir Francis William  
MacCaw, William J. MacGeagh  
Magnus, Sir Philip  
Meysey-Thompson, E. C. }

Moore, William  
Oddy, John James  
Pease, Herbert Pike (Darlington)  
Randles, Sir John Scurrah  
Rawlinson, John Frederick Peel  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell  
Talbot, Lord E. (Chichester)

Thornton, Percy M.  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Lionel  
Wilson, W. T. (Westhoughton)  
Wortley, Rt. Hn. C. B. Stuart.  
  
TELLERS FOR THE NOES—Sir  
Frederick Banbury and Lord  
Robert Cecil.

SIR F. BANBURY moved to amend Clause 39, by leaving out the words dealing with the giving to a young person of cigarettes or cigarette papers.

LORD R. CECIL seconded.

Amendment proposed—

“ In page 23, line 16, to leave out from the word ‘ not ’ to the word ‘ he ’ in line 19.”—(Sir F. Banbury.)

Question proposed, “ That the words proposed to be left out stand part of the Bill.”

MR. HERBERT SAMUEL accepted the Amendment.

Amendment agreed to.

SIR F. BANBURY moved to omit Clause 40 (Forfeiture of tobacco). He said he did not know whether the Under-Secretary would accept the Amendment, but he was afraid he was not going to be so reasonable, as he was in regard to the last Amendment. The effect of this clause was to give power to a constable or a park-keeper, or other person having the powers of a constable, and being in uniform, to seize any cigarettes or cigarette papers in the possession of any boy, apparently under the age of sixteen, whom he found smoking in any street or public place. First of all, he thought they were putting a very hard task upon the police and park-keepers. The park-keeper or a policeman saw a boy whom he thought was under sixteen, and he was to be the judge in that matter. A constable or park-keeper might have a grudge against a certain boy, and he might arrest him because he said he thought he was under sixteen. That appeared to him to be an illegal offence. The boy might say he was over sixteen, and that he could prove it, yet nevertheless he would be taken to the police-

station and charged because he was apparently under the age of sixteen, and because he was a young-looking lad the Court would decide that the constable was right. The result would be that the boy would be discharged, but would have no right of redress. He thought the clause was a very dangerous one. The duties the police carried out were very difficult, and they carried them out with great tact, and no one would wish to put them at loggerheads with the people and make them unpopular with a large section of the population. That was one reason why he objected to this clause. Then he noticed that the clause said—

“ It shall be the duty of a constable and of a park-keeper or other person having the powers of a constable, and being in uniform, to seize any cigarettes or cigarette papers in the possession of any boy apparently under the age of sixteen.”

He wished to know why the word “ boy ” was suddenly interpolated in this clause. In every other clause he understood the words were “ a child or young person.”

\*MR. HERBERT SAMUEL: The point arises on a later Amendment.

SIR F. BANBURY regretted it should be the fact, but he believed it was a fact that at the present time many women did smoke, and what they smoked was cigarettes, and if it was necessary to stop the smoking of cigarettes by any one under the age of sixteen, it was as necessary to stop girls as boys.

MR. BYLES (Salford, N.) suggested that the hon. Member should look at the next Amendment on the Paper in the name of the Under-Secretary to leave out the word “ boy ” and insert the word “ person.”

SIR F. BANBURY said that that certainly disposed of his objection upon that point. But it was only another instance

of the careless drafting of the Bill. After all, one could only go by the words in the Bill. But to come back to the police constable and the seizure of cigarettes in the possession of any boy who was found smoking in a public place. It had been pointed out by one hon. Member that if a boy was smoking a cigarette in a field he might lean over the gate and puff his smoke in the policeman's face, and that after he had finished his cigarette he could safely come into the road. The same argument applied to many places besides a field. It applied to the area of a private house. What was to prevent a boy, when he saw a policeman coming, going into an area and smoking? It also applied to the doorway of a house, and in the poorer districts the doors of the houses were frequently open. The effect of this clause was that, though a boy might smoke in the open doorway of his father's house, he might not smoke on the pavement a few feet away. It was absolutely absurd. Where was the harm of smoking in a public place as against a private place? The deterioration of the boy was the same in each case. He thought it would be well in the interests of the Bill if the hon. Gentleman left out what he might call these little nagging clauses. It must be remembered also that the difficulties of the constable would be increased because the person found smoking would, in the majority of cases, be near the age of sixteen. The constable would, therefore, find himself in a very difficult position, and in all probability he would look the other way if he saw a cigarette in a young person's mouth. It had been said over and over again, that all the clauses which had been discussed that day would become a dead letter, but he went further and said that if this sort of clause was insisted upon the whole Bill would become a dead letter because it would become ridiculous. No constable would take any step in a case in which he thought it would be difficult to obtain a conviction. He observed that there was no penalty in this clause, and if there was no penalty that in itself was a strong reason for deleting the clause. A boy of eighteen who looked young might be seized by a police constable

who might say: "You are smoking; I must search you."

LORD R. CECIL: No, no.

MR. CHERRY: There is an Amendment to prevent searching.

SIR F. BANBURY said that in that case, so far as he could see, the Government having put down a clause and having subsequently put down Amendments to render it nugatory, it was unnecessary for him to do more than move the omission of the clause. He begged to move.

MR. ATHERLEY-JONES (Durham, N.W.), in seconding the Motion, said he had abstained from taking any part in these discussions because he thought the hon. Gentleman in charge of the measure had made so many concessions that all the efficacy of this clause had disappeared. All that remained now was the fact that a tobacconist might not sell, except under circumstances which there was ample scope for evading, cigarettes to a person apparently under the age of sixteen. That was as far as the House had legislated at present. They had spent a great many hours, a lamentable waste of time, upon an excrescence of the Bill which was no part of the Bill, and which ought never to have been brought into it. What remained was that they were going to give power to the police officer or park constable, or anybody who wore a uniform to molest boys and young women in the streets. He very much regretted that the Under-Secretary had reinserted the provision which allowed no sexual distinctions. The hon. Member had previously in the Committee assented to young women being liberated from the indignity of a search. Although the hon. Gentleman now eliminated "search," he imposed on young women who might be smoking in the streets the indignity of having snatched from them by force any cigarette they might be smoking or any cigarette paper in their hand. He thought if such a thing happened to a respectable young woman in the streets of London something more would be heard of it. But how ineffective the whole thing was. First they had to get



the young person smoking a cigarette in the street, and then they had to catch him. A boy was supposed to know the law. The boy seeing the constable coming immediately concealed the cigarette he was smoking, or the cigarette paper he had in his hand. And because a boy or young woman apparently under the age of sixteen was seen smoking they were to be exposed to the indignity of an assault. How many young women within the acquaintance of hon. Members themselves were there not who were over sixteen and looked younger? Besides, the number of fish they were going to catch with this net was so very small that it was really idle to put this machinery in motion. He had as a lawyer some experience of various Acts, and he submitted that it would be a dangerous violation of the spirit of our laws that they should allow an officer of a certain class of life to take on himself to put the law in force without any judicial inquiry. That was a very dangerous power to confer, and he thought it was a power which might be abused. He could conceive, even if the power were *bona fide* exercised, that high-spirited lads would very much resent action of this kind. He knew that his noble friend opposite was theoretically in sympathy with the idea of stopping juvenile smoking, and he was very much inclined to agree with him in the view that this Bill was well intended; still, he did not think they ought to risk entrusting these powers to police officers and park-keepers, having regard to the indefiniteness of the provisions, and how little they would stop smoking. He thought they were exposing children to danger; they were inviting breaches of the peace; they were causing great annoyance; they were presenting temptations for the exercise of overbearing authority to persons who were not necessarily police officers, but whom they endowed with these powers; and he thought his hon. friend would be well advised if he were to do away with these powers which he proposed to confer. It was on the whole a wholesome provision to say to a shopkeeper that he must not sell cigarettes or cigarette-papers to young children, and in regard to that the hon. Gentleman, he thought, had reached far enough. But under provisions for the chance cases of boys

smoking in the streets, they would have lads offering themselves up as sacrifices: or, with that cunning which belonged to boys, and which they were supposed to lose when they became older, they would be able to scent the policeman and to hide the cigarette or cigarette-paper. This provision invited policemen and park-keepers, who were not immaculate, to molest, interfere with, and annoy persons, and still more to molest, interfere with, and annoy those whom they might choose to think had cigarette papers or cigarettes, or intended to smoke, or were smoking. He gathered that his hon. friend had his doubts about this kind of legislation, and he appealed to him, in order that the Bill might be made as little annoying and as little irksome as possible, to drop this clause. He did not think it would hurt the provision against the shopkeepers, which was an excellent one on the whole, and he would meet the feeling of those who had a strong objection to any interference with individual liberty by conferring on inferior ministers of the law powers which should only be exercised by persons occupying a very much higher and more responsible *status*.

#### Ame-dment proposed—

“In page 23, line 24, to leave out Clause 40.”—(*Sir F. Banbury.*)

Question proposed, “That the words proposed to be left out. to the word ‘boy’ in page 23, line 27, stand part of the Bill.”

\*MR. HERBERT SAMUEL said that the hon. Baronet the Member for the City of London had raised several objections to this clause. In the first place, he objected to the word “apparently” under the age of sixteen, saying that it would be very hard on the policeman or park-keeper to have imposed upon him the duty of deciding whether a boy was above or below that age. The word “apparently” was put in for the protection of the policeman and park-keeper. It would be far harder upon him if the word were omitted and the clause were to read that a policeman or park-keeper should seize cigarettes in the possession of any boy under the age of sixteen, whom he found smoking in any street or public place.

*Mr. Atherley-Jones.*

because then he might make a mistake owing to a person who apparently was far below the age subsequently proving to be above sixteen. The hon. Member who had just spoken, and the hon. Baronet who moved the Amendment, objected to the clause on the ground that it was impossible to enforce, by means of the agency of the law, minute regulations of this kind. The duties of policemen and park-keepers were not concerned only or even mainly with the suppression of grave forms of crime. They performed many functions of a minute character quite analogous to this. A boy who played pitch and toss did an illegal act, and the policeman had, not indeed to take away the money, but he had to take the boy before an ordinary police Court for that offence, and have him charged with gaming. That was one of the most frequent charges against juvenile offenders. Again, boys playing football in the street were guilty of an offence which the police had to and did suppress; and the damaging of shrubs and plants—a comparatively small offence—had to be stopped by park-keepers. All these were matters of minute detail which had to be enforced by the very class of people whom it was proposed to empower to stop smoking in the street by juveniles. The hon. Baronet had complained of the careless drafting of the Bill, pointing out that whereas in other clauses the word "person" was used, in this the word "boy" was employed. As introduced, the Bill used the word "person" in this clause, but in Committee grave objection was taken to the clause, on the ground that, since it would give power to constables to seize cigarettes in the possession of a girl, it impliedly gave the power to a policeman to search a girl, and in order to meet that objection he said in Committee he would omit the word "person" and insert "boy." Subsequent discussion revealed the fact that the Committee generally desired that it should be clearly stated that there should be no right to search at all, and the ultimate outcome was that he undertook to insert words that there should be on the part of the constable no right of search of any person found smoking in a public place, and that when that was done the word "person" should be reinserted

in order to make the Bill uniform, and avoid any distinction between the sexes. The hon. Member who had just spoken had not been fair to the clause, because no action could be taken unless the person was actually smoking in a street or public place, and, if a girl was smoking in a street or public place, he did not think it would be so great an injury to personal liberty for a constable to go up to her and say: "You must not smoke, and I must take possession of your cigarette." The hon. Baronet wanted to know why they drew the line at a public place, and asked whether it was not just as harmful for a child to smoke in its father's house as in the street. No doubt it was, but, as a matter of fact, they could not stretch the arm of the law further than a public place or street. Many other things, deleterious and objectionable as they might be, were only offences if committed in a public place. No doubt the boundary of a public place, like all boundaries, might give rise to inconsistencies, but that was so merely because that was as far as any legislation could go. The hon. Baronet had objected to the clause because it inflicted no penalty on the child found smoking in the street or public place, but he was perfectly certain if there had been a penalty imposed the hon. Baronet would have objected and said it was intolerable. The proposal was based upon the recommendation of the Committee of the House of Lords, but there was no body, apparently, which aroused the contempt of the hon. Baronet more than a Committee of the other House. It was a fact that the House of Lords Committee had recommended this particular proposal, and it seemed to him to be a very useful substitute for prosecution. They were not going to impose any penalty at all upon the child who smoked in the street or public place, but he thought it was reasonable that a constable should be able to stop a child doing so in a public place, and thereby bring home to him the fact that smoking was regarded by the law as bad for him and objectionable, and so far from this making the policeman unpopular, he was sure nothing would be more welcomed by the public. On every hand one heard that it was absurd that little children should be allowed to go about puffing cigarettes and nobody

have the power to stop them. The clause, after a long discussion, passed the Committee upstairs without a division, and in these circumstances he hoped the House would consent to its retention.

LORD BALCARRES (Lancashire, Chorley) thought the Under-Secretary ought not to move the Amendment which he had put on the paper taking away the right of search if he wished the clause to be efficacious. If the clause was to be a reality, the policeman must have the right of search. A policeman saw a boy fifty or sixty yards away obviously smoking. He went up to him and said: "I saw you smoking." Long before he reached him, however, the "fag" was out of the boy's fingers and in his trousers pocket. The right of search, if properly administered, would prove that the boy was smoking, but without it the clause would be utterly inoperative. There was a point raised on Clause 40 to which an hon. and learned Member had alluded and to which the Under-Secretary had made no reply. He had spoken as if the police constable were the sole authority for seizure. It was not only in the hands of experienced police constables that this duty was to be placed, but of any park-keeper or other person having the powers of a constable and being in uniform. There was considerable distinction between the various authorities. The ordinary police constable was a man who could be trusted to carry out the most difficult and delicate duties with extraordinary tact, good humour, and judgment; but the ordinary person, who by virtue of the fact that he was wearing a uniform was to be entrusted with the same duties, need not by any means have the same judgment and experience. He did not know what person had the same powers as a constable other than a constable. Certainly a park-keeper had not. A constable had far more extended powers than a park-keeper. He would like to know who the other persons were who actually possessed the powers of a constable.

\*MR. HERBERT SAMUEL: People like railway policemen.

LORD BALCARRES: But those are privately employed policemen.

*Mr. Herbert Samuel.*

\*MR. HERBERT SAMUEL: They are not constables within the meaning of the Act of Parliament.

LORD BALCARRES said he objected to placing this duty in the hands of persons who were not subject to police laws. It was obligatory and not optional. The police had to deal with all sorts of minor offences. It was an offence to play football in the street if the result was to interfere with the traffic, and that was just where the ordinary police constable was given an option. But in this case no option was given. It was his duty to seize the cigarette, and there was bound to be a scuffle or a scrimmage. He did not think the good results they were going to get from this clause were worth the risk it involved. He had great hesitation in believing that any of these three clauses would check what he admitted to be a serious evil, but, in view of the fact that there was considerable ambiguity in the clause, that the duties of these persons were not adequately defined, that the persons themselves were by no means necessarily people with the experience and the skill of the ordinary police constable, he should support the Amendment moved by the hon. Baronet and vote against the clause.

LORD R. CECIL said this was really the most astonishing clause that had ever been proposed. He thoroughly agreed with the observation of the Under-Secretary that there was no danger of the clause making the police unpopular, least of all with boys under sixteen. He thought it would make them very popular and would give the boys a great deal of much needed amusement in the town districts. There was no right of search, and there were to be no legal proceedings. A boy was smoking a cigarette. He saw a policeman and went as near as he could to him and walked up and down in front of him to show that he was smoking a cigarette. The policeman called to him to give him the cigarette. "No," said the boy, "you come and take it." The policeman, if he was young, gave chase. The boy led him a tremendous chase, and eventually allowed the policeman to catch him when the cigarette was about

a quarter of an inch long. Then he waited until the policeman was a yard or two off and lit another cigarette. Speaking from his recollections of boyhood he could not conceive what amusement he should have enjoyed more. He did not pretend to be so well acquainted with boys of the working classes as he was with some other boys, but he presumed boys were very much alike, and his belief was that nothing in the world would give them so much pleasure as this clause. If he had not been so well acquainted with the sober and steady character of the Under-Secretary, he would have thought this was a legislative practical joke, and that the Under-Secretary was coming out in the very unexpected light of a Parliamentary humorist. If that were the object of the clause he really thought the Under-Secretary would be entitled to their warmest congratulations. Under the circumstances, he felt compelled to oppose the clause. He was opposed to cigarette smoking by boys, but it was a ridiculous thing to make it a criminal offence, and he did not want the House to do something which would directly and deliberately encourage it. He was certain if the clause was passed in the form suggested without Clause 41, and they could not with any regard to justice pass Clause 41, the necessary effect would be to encourage smoking by boys, and he was quite certain every hon. Member who had considered the effect of the clause would agree with what he had said. Surely the clause showed more clearly than any argument could the absurdity of trying to make this a criminal offence. They were driven by the stress of the public opinion of the House of Commons and the Grand Committee gradually to whittle away their provisions until there was really nothing left that was of any use. They could not have desired more clear proof of the absolute accuracy of everything they had said about this part of the Bill, and he hoped when the Under-Secretary considered it impartially and carefully he would see that in its present form this part of the Bill would not only do no good but must do a great deal of harm, and he would either now or at another stage abandon the whole thing.

\*MR. BYLES (Salford, N.) said it was with very great reluctance that he put himself in opposition to any part of this great Bill, because he believed it to be a charter of deliverance for many children. He was equally reluctant to do anything to make more difficult the task of his hon. friend or to prolong the discussion on the Bill, because no one had a greater admiration than he had for the masterly manner in which he had piloted the Bill through Grand Committee and the House, and for the perfect temper and discretion he had shown on all occasions. He had voted more than once against these tobacco clauses, and he had some little shame that old-fashioned notions of Liberalism and liberty had been voiced so largely from the benches opposite rather than from those with whom he usually associated. He could not but believe that the whole of this proposal to create a sort of code, and penalise children and young people for what was not really a moral crime was an excrescence on the Bill, and was quite unnecessary. He recognised that there was a widespread desire to see less cigarette smoking amongst children, and he admitted that it was not desirable for children, and if practised to excess, was probably very injurious. Clause 39 was open to less objection than that they were now considering. There was something to be said for restricting the sale of cigarettes to children, but the provision of this clause appeared to be altogether indefensible and inoperative. He could not believe that any really good results, but some bad results, would follow from giving to constables, and park-keepers, railway policemen, tramway conductors, when in uniform, and so forth, the right to run after a boy who had a cigarette and take it from him. If they were denied the right of search, and could only take the cigarette which was actually in the boy's hand or mouth, or any packet which he might be kind enough to display in his hand, the clause would not be very effective. It exaggerated altogether the importance of the offence they were committing against society. It was not a bomb that the boy had in his pocket, though it might be from the way this legislation



was framed. He was simply practising a habit of which a good many people disapproved. The whole object of the Bill and of the agitation against juvenile smoking had been to prevent excessive smoking which it was admitted was injurious to young children. In order to prevent excesses they were making it illegal for a boy under sixteen to smoke a single cigarette. He objected to the clause because it could not be enforced and would lead to deceit. The result would be that when a boy saw a policeman he would get behind a tree or in some dark place, and instead of smoking openly he would do it secretly. The penalising of trivial acts of this kind confused a boy's idea of what was lawful and what was unlawful. It should not be overlooked that they were proposing to mix up the offence of cigarette smoking with petty thefts. The Under-Secretary had already stated that he did not regard these clauses as essential to the Bill, and he had also stated it could not be alleged that physical deterioration was the result of cigarette smoking. Seeing that this clause would be inoperative and that Clause 41 had been taken away, and Clause 40 immensely reduced in its efficacy, he asked the Under-Secretary either to leave Clause 39 alone or part with the whole of these three clauses. He appealed to the Government to withdraw Clause 40 and allow it to keep company with its late companion Clause 41.

MR. LAMBTON said he desired to join in the request made by the hon. Member opposite that this clause should be withdrawn. Clause 40 provided that—

“ It shall be the duty of a constable and of a park-keeper, or other person having the powers of a constable, and being in uniform, to seize any cigarettes or cigarette papers in the possession of any boy apparently under the age of sixteen whom he finds smoking in any street or public place, and any cigarettes or cigarette papers so seized shall be disposed of, if seized by a constable, in such manner as the police authority may direct, and if seized by any other person in such manner as the authority or person by whom that person was appointed may direct.”

The utmost a police constable could do would be to save the remnant of a cigarette remaining between the boy's

lips. This clause was well fitted to provide comedy for a Christmas pantomime in which the policeman might be chasing a number of small boys round the stage. He would challenge any hon. Member who had carefully read this clause and this proviso to get up and say that it could be enforced. It would be sure to bring the police into ridicule. What could be more ludicrous than the spectacle of police constables or park-keepers chasing small boys all over the park in order to take from them one cigarette? Under this clause the police constable would not be able to search the boys. He hoped the Attorney-General for Ireland would exercise his Irish sense of humour and agree to omit a clause which would make the Bill ridiculous.

MR. FELL said it was perfectly clear from the persistence with which the Government maintained that this clause should remain that Clause 39 would be inoperative. It was quite plain that boys would succeed in obtaining cigarettes whatever clause was passed. Then came the question of the seizure of the cigarettes upon the boys. Searching of the boys was not to be allowed, and they could not see the cigarettes concealed in the boys' pockets. If a constable went so far as to search a boy, that constable would render himself liable to an action. The clause would be absolutely inoperative, because the remains of the cigarette which the boy was smoking would be all that the policeman could possibly secure. With regard to placing these summary powers in the hands of police constables and park-keepers in uniform, he would like to know if the clause included men in uniform standing outside hotels. One of the things they had always prided themselves upon in this country was that “jacks in office” in England had no powers of this kind. In Germany policemen had powers of summarily exacting a small fine from boys in certain circumstances; but he hoped Parliament in this country would set its face against giving bureaucratic men in uniform a power which would be detrimental to society, and furnish a most unfortunate precedent. The clause was really ridiculous. It was absurd to give a policeman power

*Mr. Byles.*

to try to take away the fag-end of a cigarette from a boy without having the power to take from him those cigarettes which he might have in his pockets.

**MR. WILLIAM RUTHERFORD** appealed to those in charge of the measure to allow this clause to be withdrawn. The House was aware of the difficulties in which a clause of this kind would involve park-keepers. Some of the park-keepers were old men who had been gardeners, whose principal duty was to take charge of the grass and perform other light duties in the park. He could picture an elderly, stout park-keeper with half-a-dozen or a dozen boys under sixteen at the comparatively safe distance of nine or ten yards, forming a ring round him, in one of the public parks of Manchester or Liverpool, and exhibiting under his nose about an inch of unconsumed cigarette. It would be the duty of that park-keeper to catch those boys and seize those pieces of cigarettes. If the park-keeper made a dash for one of the lads the scene that would take place would be quite obvious. There would be a chase, and it would be impossible for that park-keeper to catch any of the boys, and the result would be only to make a jeering, stupid exhibition of the park-keeper all over the park. What effect was all this going to have upon the boys? It would make every boy ready to make it a matter of honour and ambition to defy this particular clause. It would be a boy's ambition to smoke, and he would make it his daily habit to carry a piece of cigarette with the object of defying park-keepers and making exhibitions of the kind he had described. The absurdity of the clause could only be realised when they came to consider what the

Act provided with regard to the seizing of cigarettes. The clause laid down that—

"Any cigarettes or cigarette-papers so seized shall be disposed of if seized by a constable in such manner as the police authority may direct, and if seized by any other person in such manner as the authority or person by whom that person was appointed may direct."

They would get about a third of one of them, and that was to be disposed of under an Act of Parliament. That was the only really effective part of the clause. There was to be a great distinction drawn if it had been captured by a constable or a park-keeper. They were all anxious to put an end to juvenile smoking, but when they saw a clause drawn in this ridiculous manner and solemnly put forward by the Government as their solution of the evil, he thought it reduced the whole thing to a piece of ludicrous nonsense. How were people under sixteen to get cigarettes at all if Clause 39 was of any use? It seemed to him that the clause was going to have the effect of increasing the difficulties of the park-keepers who had to maintain order in the public parks. The Amendments of which the Under-Secretary had given notice showed the mind of the Government. One was to alter the word "boy" to "person," and the other was to get rid of the right of search. Under the clause as proposed to be amended, constables and park-keepers were to have the right of following up a boy or girl whom they saw holding a piece of cigarette and of resorting to measures which, as he had pointed out, would have ludicrous consequences.

Question put.

The House divided :—Ayes, 181 ; Noes, 61. (Division List No. 251.)

#### AYES.

Abraham, William (Rhondda)  
 Archd., Francis Dyke  
 Allen, Percy  
 Allen, A. Acland (Christchurch)  
 Amis, R.  
 Ballour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barry, Redmond J. (Tyrone, N.)  
 Baskin, E.

Beck, A. Cecil  
 Bell, Richard  
 Bellairs, Carlyon  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (Tw'r Hamlets, S. Geo)  
 Berridge, T. H. D.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William

Branch, James  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Carr-Gomm, H. W.  
 Causton, Rt. Hon. Richard Knight



Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Collins, Stephen (Lambeth)  
 Compton-Rickett, Sir J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Hudson, Walter

Idris, T. H. W.  
 Jackson, R. S.  
 Jardine, Sir J.  
 Jenkins, J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kekewich, Sir George  
 Kennaway, Rt. Hon. Sir John H.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Newnes, Sir George (Swansea)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs., Leek)  
 Pearce, William (Limehouse)  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)

Robertson, J. M. (Tynes)  
 Roch, Walter F. (Pembro)  
 Roe, Sir Thomas  
 Rutherford, V. H. (Brent)  
 Samuel, Herbert L. (Clev)  
 Schwann, Sir C. E. (Manc)  
 Scott, A. H. (Ashton-under)  
 Sears, J. E.  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stewart-Smith, D. (Kenc)  
 Summerbell, T.  
 Taylor, Theodore C. (Rac)  
 Tennant, H. J. (Berwick)  
 Thomas, Sir A. (Glamorg)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Some)  
 Thorne, G. R. (Wolverhan)  
 Tomkinson, James  
 Verney, F. W.  
 Vivian, Henry  
 Walters, John Tudor  
 Walton, Joseph  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courte  
 Wason, John Cathcart (O)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbarton)  
 White, Luke (York, E. F.)  
 Whitehead, Rowland  
 Whitley, John Henry (H)  
 Whittaker, Rt. Hn. Sir Tho  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carm)  
 Wilson, Hon. G. G. (Hu)  
 Wilson, John (Durham)  
 Wilson, J. W. (Worcester)  
 Wilson, P. W. (St. Pancr)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES:  
 Joseph Pease and Ma  
 Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex F.  
 Anson, Sir William Reynell  
 Atherley-Jones, L.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Barrie, H. T. (Londonderry, N.)  
 Bull, Sir William James  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)

Collings, Rt. Hn. J. (Birmingham)  
 Collins, Sir Wm, J. (St. Pancras, W)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Glover, Thomas  
 Gooch, Henry Cubitt (Peckham)  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)

Hamilton, Marquess of  
 Harris, Frederick Lever  
 Helmsley, Viscount  
 Hope, James Fitzalan (S)  
 Houston, Robert Paters  
 Lambton, Hon. Frederic  
 Lane-Fox, G. R.  
 Lonsdale, John Brownle  
 Lupton, Arnold  
 MacCaw, William J. Mac  
 M'Arthur, Charles  
 Meysey-Thompson, E. (C)  
 Myer, Horatio  
 Oddy, John James  
 Pease, Herbert Pike (Dar)

Frederick, Edward Hare  
 Radford, G. H.  
 Robinson, John Frederick Peel  
 Rawick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Romkishay, Earl of  
 Rothchild, Hon. Lionel Walter

Salter, Arthur Clavell  
 Seddon, J.  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Walsh, Stephen

Williams, Col. R. (Dorset, W.)  
 Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Sir  
 Frederick Banbury and Mr.  
 Watson Rutherford.

#### Amendment proposed—

"In page 23, line 27, to leave out the word 'boy' and to insert the word 'person.'"  
 —(Mr. Herbert Samuel.)

#### Amendment agreed to.

SIR F. BANBURY moved to leave out in page 24, line 33, the word "apparently." As he understood the speech of the Attorney-General for Ireland, the word "apparently" had a different meaning in this clause from what it had in a previous clause.

MR. CHERRY said that what he had stated was that it would have a different effect.

SIR F. BANBURY said that that did not weaken his argument but rather justified him in moving his Amendment. It was not always an easy thing for one to say that a person was, or was not, under the age of sixteen. Let them see for a moment what might happen. A girl of eighteen might be walking down a street with a cigarette in her hand. She might not be smoking it, but suppose a constable said that she was under sixteen, and asked her to give up her cigarette, and that she refused, and that he then took it from her. If an action was brought against the constable or park-keeper for assault under these circumstances, the only defence required would be that the constable or the park-keeper believed her to be under sixteen. Even assuming, for the sake of argument, that the girl was her case, it would cost her a very large amount of money, all owing to the capidity or to the zeal of a constable anxious to get promotion for activity in the prosecution of his duty and carrying out all the powers entrusted to him under this Act. The word "apparently" had evidently been put into the Bill to protect the police constables. If the Amendment were accepted, it would be that the police constables

know that he must exercise some reasonable precaution in taking the end of a cigarette out of the mouth of a young person. He hoped the Government would listen to reason and accept his Amendment, which he now begged to move.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) seconded the Amendment mainly in the interest of the unfortunate people who were to be given the duty of carrying out this portion of the Act. The machinery contained in the clause was absolutely absurd and unworkable, and he hoped the Government would modify the clause in the interest of their own Bill.

#### Amendment proposed—

"In page 24, line 33, to leave out the word 'apparently.'"  
 —(Sir F. Banbury.)

Question proposed, "That the word proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said he had dealt with this point only a few minutes ago when it had been raised on another clause by the hon. Baronet. If the Amendment were adopted and the word "apparently" left out, the police and the park-keepers would have no defence if they took action against a person who looked of the age of eighteen and was, as a matter of fact, under sixteen. The Amendment would make the clause utterly unworkable.

MR. JAMES CAMPBELL hoped that his hon. friend would not press his Amendment. He doubted whether the clause would remain in the Bill, because, if the Amendment which stood in the name of the Under-Secretary, taking

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the clause did remain in the Bill, then he was in favour of retaining the word "apparently," because it would protect the constable or the park-keeper who engaged in a chase to capture the end of a cigarette, in judging the age of the young person.

Amendment negatived,

MR. WALTER GUINNESS (Bury St. Edmunds) moved to add at the end of the clause the words: "And if any cigarettes, cigarette papers, or other tobacco are so seized, it shall be reported to the chief officer of police for the district, who shall send a written notice of the fact to the parent or guardian of the person from whom they were seized." He said he ventured to bring forward this Amendment because it was defeated in Committee by a majority of only one vote. When the Bill was in Committee he thought that the Amendment was hardly necessary, because at that time it was provided that in the event of the child smoking or showing disrespect for the police the child was to be summoned and punished in a very drastic manner for smoking. Now the Under-Secretary had undertaken to leave out Clause 41 and therefore made no provision for the punishment of juveniles for smoking in public parks or refusing to obey the police. Therefore, it appeared to him that the Amendment which he proposed was absolutely necessary. If it were not adopted this clause would only encourage smoking, as it would give great opportunity for amusement to small boys and undoubtedly lead them to buy cigarettes for the purpose of chaffing the police. Under the Bill as it now stood he thought boys would learn to smoke simply for the purpose of having the opportunity of a little amusement at the expense of the park-keepers and the police. They wished to avoid that state of affairs which had been depicted by the noble Lord the Member for Marylebone, and it was important that they should get the police backed up by the parents in standing out against smoking. This was one of the most dangerous provisions of the Bill, because it would familiarise the rising generation with the idea that

they could break the law with absolute impunity. When they had been all to flaunt the police with regard to smoking, they might think the might be the case in regard to serious offences, and they might not be disposed to restrict the breach of a particular Act of Parliament. He did not like these smoking clauses at all, but he liked them less now that Clause 41 was left out, and he appealed to the Home Secretary to accept this Amendment which would give him an opportunity of mitigating one of the great dangers of the Bill. One of the serious perils was that the Bill was going to be set in force through the influence of the police, the police in industrial schools, which were less efficient agents for the education of the young than the influence of the parent if properly exerted. He thought that the parent should know that the child was smoking so that he could prevent him from going to the park and chaffing the police. He could not see anything would be lost by enlisting the parents on the side of the law and against smoking, and if this Amendment were adopted they might do a great deal to make this provision effective and not make the police the laughing stock of the country. He begged to move.

SIR F. BANBURY had the pleasure of seconding the Amendment of his friend, which he thought was a very useful one. If it were carried it would give the parent the power of exercising proper control over his offspring. He would be able to give him a flogging if it was necessary, the way as they used to get at school if they smoked unless they were in a part of the school. The Bill would have a greater effect, both morally and physically, if this clause were amended in this way. For these reasons he begged to second.

Amendment proposed—

"In page 23, line 32, at end, to insert the words 'And if any cigarettes, cigarette papers, or other tobacco are so seized, it shall be reported to the chief officer of police for the district, who shall send a written notice of the fact to the parent or guardian of the

*Mr. James Campbell.*

from whom they are seized."—(Mr. Walter Guinness.)

Question proposed, "That those words be there inserted."

Mr. HERBERT SAMUEL said he wished he could see his way to accept Amendments strengthening this clause when proposed by hon. Gentlemen opposite, but this would involve the same and address of the child in every case being traced. The object of the clause was to stop smoking in the street, and he thought that while it was desirable that the parent should be informed in all cases, he did not think it should be made the statutory duty of the chief officer of police to embark upon these inquiries, and trace out the parent of every child in every case. For these reasons he hoped the hon. Member, although he knew he was earnestly interested in this clause, would not press this Amendment. Of course, it would be optional on the part of the police or the watch committees in any particular town to send information to the parent, but it should not be obligatory upon them to do so.

Mr. CLAUDE HAY (Shoreditch, Hoxton) said the hon. Gentleman had made it perfectly clear that in the Bill as it was to be passed it was optional for the police to give this notice, but if the police did not exercise the option the child might be sent to prison, because he was unable to pay the costs, and the fine imposed upon him.

Mr. HERBERT SAMUEL said he did not think the hon. Member was in the House when it was stated that Clause 41 was to be dropped. There would be no penalties upon the child or parent.

Mr. CLAUDE HAY said that that made it all the more important that the parent should know what the child had done. They should have some intimation given to the parent of what the naughty boy or girl had done. Therefore he earnestly hoped that the Amendment of his hon. friend would be accepted.

Mr. MOORE said that  
stage of the debate on t

Minister in charge of it said that the whole scheme of these provisions was based on a desire to secure the co-operation of the parents. Here was an earnest Amendment which gave the Government the means of securing their active co-operation, and as soon as it was brought before the House the Minister in charge said he could not accept it. Of course, they could not force his hand upon that, but he thought it was a sinister comment upon the *bona fides* of his own assertion that the object was to secure the co-operation of the parents.

VISCOUNT HELMSLEY thought it was a pity that the Under-Secretary had treated this Amendment so cavalierly, as it was one of the greatest importance. Surely they had arrived at a ridiculous position. They had made it illegal for a tobacconist to sell cigarettes to a child, and made it possible for a police constable to seize cigarettes; but there was absolutely nothing in the Bill making it illegal for the child to smoke tobacco. Therefore the one person they desired to get at was not got at at all by this Bill. Clause 41 might not have been a very reasonable clause, but it was logical, and in it there was a penalty for the child smoking. Now no penalty was provided, and therefore it appeared to him the least the Government could do if they dropped Clause 41 was to provide that a child doing that which was condemned by an Act of Parliament should be punished. The Under-Secretary seemed to have a very sanguine opinion of the character of young persons who would come under this Bill, and thought that the last thing they would do was to try to "rag" the police or the park constable by smoking, and then when the officer came up put the cigarette in their pockets. He seemed to think that the moment this Bill was passed the smoking of cigarettes would be finished, but it seemed to him that that was a very optimistic view to take, and that these sections as they stood would be inoperative, because there was no penalty whatever imposed, either parental or legal, upon the child who practised cigarette-smoking. If this Amendment were accepted the parent  
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to put an Amendment on the Paper to Clause 41, in which he proposed to inflict a very old penalty, if this was to be a crime at all. The penalty was that of a whipping. Of course, that could not now come in, but he nevertheless thought it would have been more appropriate than fining the unfortunate parent 10s. or sentencing him to a term of imprisonment. But if his penalty could not come in now it would be proper and appropriate at least to give the parent the opportunity of punishing his child.

\*SIR WILLIAM ANSON (Oxford University) did not agree with the noble Lord in thinking that the Bill would be inoperative; he thought that it would afford a direct encouragement to children to smoke. Most boys of a tender age who might be seen smoking in public places did so, not because of any attachment to tobacco, but because they considered it a practice in advance of their years, and something moreover which their elders told them not to do, affording them, therefore, the added pleasure of disobedience which was so dear to boys of their age. Under the Bill, cigarette-smoking would have for boys even a greater attraction than before, because

the boys would now be actually breaking the law. The Legislature had now given a zest to juvenile smoking which it hitherto not possessed in the juvenile mind. Not only could a boy do a grown-up thing, of which his parents possibly disapproved, but he was now even to be reported to his parents so that he was given a whole afternoon's amusement at the expense of the constable or park-keeper. He would get hold of two or three cigarettes, walk along with one in his mouth, dance in front of the park-keeper, and when the park-keeper had caught him the boy would put a cigarette in his pocket. The right of smoking having been taken away the matter came to an end until the youth again put his cigarette into his mouth and amusement would begin all over again. He, therefore, had the pleasure of breaking the law, of doing what his parents would not like him to do, of annoying the park-keeper, and thus he obtained an afternoon's amusement—and all at the instigation of a paternal Government which was too anxious to do him good.

Question put.

The House divided :—Ayes, 55 ; Noes, 207. (Division List No. 252.)

### AYES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
Anson, Sir William Reynell  
Balcarres, Lord  
Barrie, H. T. (Londonderry, N.)  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord John P. Joicey  
Cecil, Lord R. (Marylebone, E.)  
Collings, Rt. Hon. J. (Birmingham)  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.

Forster, Henry William  
Gretton, John  
Guinness, Hon. R. (Haggerston)  
Hamilton, Marquess of  
Hay, Hon. Claude George  
Helmsley, Viscount  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Lane-Fox, G. R.  
Lockwood, Rt. Hon. Lt.-Col. A. R.  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
Magnus, Sir Philip  
Meysey-Thompson, E. C.  
Moore, William  
Morpeth, Viscount  
Parker, Sir Gilbert (Gravesend)  
Paulton, James Mellor

Pease, Herbert Pike (Darlington)  
Rawlinson, John Frederick  
Renwick, George  
Roberts, S. (Sheffield, Eccles)  
Ronaldshay, Earl of  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Cravell  
Talbot, Lord E. (Chichester)  
Thornton, Percy M.  
Valentia, Viscount  
Walker, Col. W. H. (Lancaster)  
Walrond, Hon. Lionel  
Williams, Col. R. (Dorset)  
Winterton, Earl  
Younger, George

TELLERS FOR THE AYES—  
Walter Guinness and  
Frederick Banbury.

### NOES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Alden, Percy  
Allen, A. Acland (Christchurch)

Armstrong, W. C. Heaton  
Atherley-Jones, L.  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)

Barran, Rowland Hirst  
Barry, Redmond J. (Tyron)  
Beauchamp, E.  
Beck, A. Cecil

*Viscount Helmsley.*



Bell, Richard  
 Bellairs, Carlyon  
 Benn, Sir J. Williams (Devonp't  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Black, Arthur W.  
 Boland, John  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramson, T. A.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Bryce, J. Annan  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard  
 Carr-Gomm, H. W.  
 Casson, Rt. Hon. Richard Knight  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Cough, William  
 Cobbold, Felix Thornley  
 Colvins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (St. Pancras, W.)  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Crettt, C. H. (Sussex, E. Grinst'd  
 Croy, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Davies, Sir W. Howell (Bristol, S.)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Darkworth, James  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ems, R. W.  
 Eskmont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fergus, T. R.  
 Fennes, Hon. Eustace  
 Fadlay, Alexander  
 Farrer, John Michael F.  
 Fetherston, Hugh  
 Gadsden, Rt. Hon. Herbert John  
 Gals-Coats, Sir T. (Renfrew, W.)  
 Gaver, Thomas  
 Gaddard, Sir Daniel Ford  
 Gough, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gordon, Rt. Hon. Sir W. Bampton  
 Hall, Frederick  
 Hancock, Robert V. (Montrose)  
 Harrie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George

Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Horrigan, Emalie John  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Jackson, M. S.  
 Jardine, Sir J.  
 Jenkins, J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lupton, Arnold  
 Maclean, Donald  
 McCallum, John M.  
 McCrae, Sir George  
 McLaren, Sir C. B. (Leicester)  
 M'icking, Major G.  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morroll, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Myer, Horatio  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassettlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.

Rea, Walter Russell (Scarboro'  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th  
 Richards, T. F. (Wolverh'mpt'n  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd  
 Robertson, J. M. (Tyneside)  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Scott, A. H. (Ashton under Lyne)  
 Seddon, J.  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Smeaton, Donald Mackenzie  
 Spicer, Sir Albert  
 Stewart-Smith, D. (Kendal)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. B. (Wolverhampton)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—  
 Master of Elibank and Mr.  
 Herbert Lewis.

Mr. HERBERT SAMUEL moved the search any person under sixteen found  
 he did so with some  
 he could not conceal

the fact that the Amendment lessened the effectiveness of Clause 40. But he moved it in accordance with a pledge given in Committee. During the discussions in Committee, not only the opponents, but the supporters of this measure, urged upon him that the police should not be given a right to search a child or young person found smoking in a public place. They considered that it was an indignity to which they should not be subjected. That being so, he undertook to put down some Amendment on the lines on which he now moved. He complained that hon. Gentlemen opposite had not treated him quite fairly with reference to this clause. After having honestly attempted to meet their wishes, he had merely been met by the accusation that he had made the clause weak and ineffective.

#### Amendment proposed—

"In page 23, line 32, at end to insert the words 'Provided that such constable, park-keeper or other person as aforesaid shall not be authorised to search any person so found smoking.'"—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

MR. JESSE COLLINGS said it would puzzle anybody to know what the general principle of the clause was. They had done away with the penalty and with the right of search. What was there left? A policeman was ordered to seize any cigarettes in the possession of these children, but he would only be able to seize the cigarette in the child's mouth. He would not be able to tell whether or not the child had any more because he would not be allowed to search. The whole proceeding was absurd, and he could not help feeling that hon. Members opposite, who had been so silent, and had not uttered any defence of the clause, would agree that the clause was full of absurdities.

MR. H. J. TENNANT (Berwickshire): That is not so.

MR. JESSE COLLINGS: But they have not said they support the clause.

MR. H. J. TENNANT: No, in order to save the time of the House.

*Mr. Herbert Samuel.*

MR. JESSE COLLINGS said that was a very old story. The clause would create a new trade. He wished he had such an opportunity when he was a lad which this clause would give. Boys under sixteen would say to their pals who were seventeen: "You go and buy us some cigarettes, and we will give you one for your commission." Lads would not have the slightest difficulty in getting cigarettes. It was absurd to think such a thing. Would any hon. Member say there would be any difficulty? Their silence answered the question. There was the incentive in every direction not only to have fun which was to be got without risk of any penalty, but also to get cigarettes in a co-operative manner. A boy of sixteen and-a-half years would only be too glad to earn commission by getting a large number of cigarettes. The clause would be not only inoperative but ridiculous and mischievous, it would tend to increase the very thing which it was no doubt wished to decrease. One might ask the Under-Secretary whether he would not consider dropping of the clause instead of allowing it to become a laughing stock.

MR. MOORE wished to call attention to the regret which the Minister in charge of the Bill had expressed for the position in which he found himself in being obliged to move an Amendment that a constable, park-keeper, or other person should not be authorised to search a person found smoking in the street or a public place. He felt regret that he was obliged to bring in an Amendment which would prevent a policeman in a public place searching a young girl.

\*MR. HERBERT SAMUEL: The hon. Member will excuse me. That is not so at all. I distinctly said that "boy" was changed back to "person" in view of the fact that this Amendment with regard to search was to be inserted.

MR. MOORE said that without qualification whatever the Minister in charge of the Bill had expressed regret that he had to move the Amendment.

Question put, and agreed to.

Amendment proposed—

pennies in the slot and obtain cigarettes.

as, however, necessity of object would occasionally obtain a cigarette was a was often bition there m. If they automatic arette, they y from him l he would [precaution of the Bill. be inflicted who failed s order, and his machine obtain cigar- o a fine not viction, and ding £1 for offence con- a monstrous offence, if it he did not le to go to y might say clause every of automatic provisions of ' they would e end of the use the pro- carried out, ount of in- would be

provisions ightly dif- at, in com- ad already it was pro- nvolving an he sold his ho was ap- of sixteen. ned in the

definition clause as a person who was not more than sixteen, and the protection which was accorded to the tobacconist was withdrawn in the case of sale by automatic machines. The question of proof was very difficult in the case of automatic machines, but the penalty was fixed. There was no question of reasonable belief, the purchaser could not be examined, there was no question of *bona-fides*, and that involved a very great hardship on the person who was responsible for the machine. The House would be well advised in protecting traders against injustice, by omitting the clause altogether.

Amendment proposed—

“In page 24, line 1, to leave out Clause 42.”  
—(*Sir Frederick Banbury.*)

Question proposed, “That the words proposed to be left out, to the word ‘is,’ in page 24, line 3, stand part of the Bill.”

\*MR. HERBERT SAMUEL said he was sure that if they had not included in this part of the Bill a clause dealing with the sale of cigarettes by automatic machines, hon. Gentlemen opposite would have said it was a monstrous injustice to tobacconists. They would have said: “You are prohibiting tobacconists from selling cigarettes, but you are doing nothing to protect them from the competition of automatic machines which may be set up for the very purpose of selling cigarettes to children.” He admitted that the method of dealing with the question was not free from difficulty. It was not possible, of course, to propose to abolish altogether automatic machines for the sale of cigarettes. That would cause great inconvenience. Nor was there need to do so, because cigarettes in automatic machines, as yet, were mainly of a more expensive kind, and were not largely bought by children. But things might be altered, and after the passage of this part of the Bill, automatic machines might take up this par-

*Mr. Moore.*

ticular trade, besides which automatic machines were sometimes put up in places where children specially congregated, like what were called “Wonderlands,” brightly-lighted places where children could go in and see mutoscopes and other attractions. It was quite a reasonable proposal that where it could be proved on evidence that automatic machines were being extensively used by children and young persons, the proprietor must take precautions by placing an attendant to see that they were not being used, or else that the machines should be moved to some other place where they would not be so extensively used. It had been pointed out that the penalties in the clause were different and more severe than those laid upon tobacconists, but the offence was a very different one. The owner of the automatic machines was not penalised in this case for selling to children, but for disobeying the order of the Court of Summary Jurisdiction. An order once made by the Court must be properly enforced, and the penalty must be sufficient to achieve the object. He should be happy to accept the noble Lord’s proposal to allow an appeal against the decision of the Court of Summary Jurisdiction to Quarter Sessions, which would, to some extent, meet the objection of the hon. Baroness. He had received no representations from the companies owning these machines that they had any objection whatever to the clause. They did not complain of its provisions or ask for an amendment. The Standing Committee, after giving the clause full consideration, had passed it without a division. He hoped the House would retain it.

MR. WALTER LONG said he was the last person in the world to be likely to complain of a Minister who, at the end of a weary sitting, got a little sore with his opponents, and recognised the great ability and firmness and courtesy with which the hon. Gentleman had conducted the Bill.

but he would permit him in perfect frankness and friendliness to suggest that if he wanted to get his Bill through he had better not accuse the Opposition of unfairness. This was one of those Bills which they could really only pass with the consent of the Opposition. He knew that that was a very disagreeable position for the majority, when it was as big and as impatient as the present one, to have to face, but it was a fact. This was a Bill with an enormous number of clauses, and he could not help thinking that the Under-Secretary, if he had no better grounds on which to base this clause than those he had presented to them, would have done well to drop it. If that were the Palace of Truth, and the Under-Secretary told them what was in the back of his mind, he thought he would admit now that he was very sorry he had not dropped four or five clauses a long time ago, because he would have been saved a weary debate, and the Bill would have been to all intents and purposes for the protection of the children of the country an even better Bill than it would be with those numerous clauses in it. Clauses of this kind would not be used in the admirable manner in which the Under-Secretary suggested, merely to deal with the case where there might be shows in which were placed machines used exclusively by children. What was the cause of half the controversy and the debate which was going on in the country? It was the bitterness and the extreme character of the competition which made living by traders of all kinds almost impossible. That was what was driving men to look into these matters for themselves and see whether they could not find some new remedy. What was legislation of this kind going to do? In order to provide against the case of some show where children might be using these machines to get cigarettes they were going to give to magistrates a power which might, without any charge of injustice, be used with very consider-

able unfairness towards traders in various parts of the country. The Under-Secretary said he had received no representations. He had been responsible for many Bills which had affected traders of all kinds, and nobody knew better than a Minister who had had charge of a Bill how frequently it happened that clause after clause was put into a Bill and went through the House, and it was not until, through the medium of the police and the consequent interference with the liberty of the subject, the effect was appreciated and the individual realised what was the interference with his trade. The fact that the Under-Secretary had received no representations from the traders connected with these machines was no evidence whatever as to the working of these clauses and afforded no reason at all why they should give their assent to what they believed to be an unnecessary and vexatious proposal. This group of clauses was put in to prevent children smoking—an admirable thing. He doubted whether the figures given by the Home Secretary, for which he produced neither chapter nor verse, could be sustained. For the first time he had heard the suggestions made as to the effects of smoking. They were not figures which had ever yet been accepted by the House of Commons as a guide to legislation, and they ought never to have been given. While he did not accept the statement of the case as presented by the Government, they all agreed that smoking by children of tender years was an abominable thing which ought to be stopped. How were they going to stop it? By a series of clauses which proposed to harass an industry and interfere with individual liberty, and transfer the responsibility of the parent to the police, the park-keeper, and the trader. That was ridiculous legislation. The Under-Secretary told them they were unreasonable. They were not unreasonable. It did not at all follow that, because they objected to the clause in its original form, they



Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Collins, Stephen (Lambeth)  
 Compton-Rickett, Sir J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Hudson, Walter

Idris, T. H. W.  
 Jackson, R. S.  
 Jardine, Sir J.  
 Jenkins, J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kekewich, Sir George  
 Kennaway, Rt. Hon. Sir John H.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Newnes, Sir George (Swansea)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs., Leek)  
 Pearce, William (Limehouse)  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)

Robertson, J. M. (Tynes)  
 Roch, Walter F. (Pembro)  
 Roe, Sir Thomas  
 Rutherford, V. H. (Brent)  
 Samuel, Herbert L. (Clev)  
 Schwann, Sir C. E. (Manc)  
 Scott, A. H. (Ashton-under)  
 Sears, J. E.  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stewart-Smith, D. (Kend)  
 Summerbell, T.  
 Taylor, Theodore C. (Rad)  
 Tennant, H. J. (Berwick)  
 Thomas, Sir A. (Glamorg)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Some)  
 Thorne, G. R. (Wolverhan)  
 Tomkinson, James  
 Verney, F. W.  
 Vivian, Henry  
 Walters, John Tudor  
 Walton, Joseph  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay  
 Wason, John Cathcart (O.)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbarton)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (H.)  
 Whittaker, Rt. Hn. Sir Tho.  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carm)  
 Wilson, Hon. G. G. (Hul)  
 Wilson, John (Durham)  
 Wilson, J. W. (Worcester)  
 Wilson, P. W. (St. Pancr)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES  
 Joseph Pease and Mr.  
 Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Anson, Sir William Reynell  
 Atherley-Jones, L.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Barrie, H. T. (Londonderry, N.)  
 Bull, Sir William James  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey.  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)

Collings, Rt. Hn. J. (Birmingham)  
 Collins, Sir Wm. J. (St. Pancras, W.)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Glover, Thomas  
 Gooch, Henry Cubitt (Peckham)  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)

Hamilton, Marquess of  
 Harris, Frederick Lever  
 Helmsley, Viscount  
 Hope, James Fitzalan (St.)  
 Houston, Robert Paterson  
 Lambton, Hon. Frederic  
 Lane-Fox, G. R.  
 Lonsdale, John Brownlie  
 Lupton, Arnold  
 MacCaw, William J. Mac  
 M'Arthur, Charles  
 Meysey-Thompson, E. C.  
 Myer, Horatio  
 Oddy, John James  
 Pease, Herbert Pike (Dar)

Fraser, Edward Hare  
Radford, G. H.  
Rawlinson, John Frederick Peel  
Ruswick, George  
Roberts, S. (Sheffield, Ecclesall)  
Rusland, Earl of  
Rothschild, Hon. Lionel Walter

Salter, Arthur Clavell  
Seddon, J.  
Talbot, Lord E. (Chichester)  
Thornton, Percy M.  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Lionel  
Walsh, Stephen

Williams, Col. R. (Dorset, W.)  
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Sir  
Frederick Banbury and Mr.  
Watson Rutherford.

#### Amendment proposed—

"In page 23, line 27, to leave out the word 'boy' and to insert the word 'person.'"—  
(Mr. Herbert Samuel.)

#### Amendment agreed to.

SIR F. BANBURY moved to leave out in page 24, line 33, the word "apparently." As he understood the speech of the Attorney-General for Ireland, the word "apparently" had a different meaning in this clause from what it had in a previous clause.

MR. CHERRY said that what he had stated was that it would have a different effect.

SIR F. BANBURY said that that did not weaken his argument but rather justified him in moving his Amendment. It was not always an easy thing for one to say that a person was, or was not, under the age of sixteen. Let them see for a moment what might happen. A girl of eighteen might be walking down a street with a cigarette in her hand. She might not be smoking it, but suppose a constable said that she was under sixteen, and asked her to give up her cigarette, and that she refused, and that he then took it from her. If an action was brought against the constable or park-keeper for assault under these circumstances, the only defence required would be that the constable or the park-keeper believed her to be under sixteen. Even assuming, for the sake of argument, that the girl won her case, it would cost her a very large amount of money, all owing to the stupidity or to the zeal of a constable anxious to get promotion for activity in the prosecution of his duty and carrying out all the powers entrusted to him under this Act. The word "apparently" had evidently been put into the clause to protect the police constable. If his Amendment were accepted, the result would be that the police constable would

know that he must exercise some reasonable precaution in taking the end of a cigarette out of the mouth of a young person. He hoped the Government would listen to reason and accept his Amendment, which he now begged to move.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) seconded the Amendment mainly in the interest of the unfortunate people who were to be given the duty of carrying out this portion of the Act. The machinery contained in the clause was absolutely absurd and unworkable, and he hoped the Government would modify the clause in the interest of their own Bill.

#### Amendment proposed—

"In page 24, line 33, to leave out the word 'apparently.'"—(Sir F. Banbury.)

Question proposed, "That the word proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said he had dealt with this point only a few minutes ago when it had been raised on another clause by the hon. Baronet. If the Amendment were adopted and the word "apparently" left out, the police and the park-keepers would have no defence if they took action against a person who looked of the age of eighteen and was, as a matter of fact, under sixteen. The Amendment would make the clause utterly unworkable.

MR. JAMES CAMPBELL hoped that his hon. friend would not press his Amendment. He doubted whether the clause would remain in the Bill, because, if the Amendment which stood in the name of the Under-Secretary, taking away from the police and the park-keepers the right of search, were passed, it would reduce the clause to a hopeless and ludicrous absurdity. However, if

Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Collins, Stephen (Lambeth)  
 Compton-Rickett, Sir J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Hudson, Walter

Idris, T. H. W.  
 Jackson, R. S.  
 Jardine, Sir J.  
 Jenkins, J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kekewich, Sir George  
 Kennaway, Rt. Hon. Sir John H.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Newnes, Sir George (Swansea)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs., Leek)  
 Pearce, William (Limehouse)  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)

Robertson, J. M. (Tyneside)  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stewart-Smith, D. (Kendal)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Verney, F. W.  
 Vivian, Henry  
 Walters, John Tudor  
 Walton, Joseph  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, John (Durham, Mid.)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex F.  
 Anson, Sir William Reynell  
 Atherley-Jones, L.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Barrie, H. T. (Londonderry, N.)  
 Bull, Sir William James  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey.  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)

Collings, Rt. Hn. J. (Birmingham)  
 Collins, Sir Wm. J. (St. Pancras, W.)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers.  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Glover, Thomas  
 Gooch, Henry Cubitt (Peckham)  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)

Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Helmsley, Viscount  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Lambton, Hon. Frederick Wm.  
 Lanc-Fox, G. R.  
 Lonsdale, John Brownlee  
 Lupton, Arnold  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 Meysey-Thompson, E. C.  
 Myer, Horatio  
 Oddy, John James  
 Pease, Herbert Pike (Darlington)

Pirkessill, Edward Hare  
Radford, G. H.  
Rawlinson, John Frederick Peel  
Rawick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Rothschild, Hon. Lionel Walter

Salter, Arthur Clavell  
Seddon, J.  
Talbot, Lord E. (Chichester)  
Thornton, Percy M.  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Lionel  
Walsh, Stephen

Williams, Col. R. (Dorset, W.)  
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Sir  
Frederick Banbury and Mr.  
Watson Rutherford.

#### Amendment proposed—

"In page 23, line 27, to leave out the word 'boy' and to insert the word 'person.'"—  
(Mr. Herbert Samuel.)

#### Amendment agreed to.

SIR F. BANBURY moved to leave out in page 24, line 33, the word "apparently." As he understood the speech of the Attorney-General for Ireland, the word "apparently" had a different meaning in this clause from what it had in a previous clause.

MR. CHERRY said that what he had stated was that it would have a different effect.

SIR F. BANBURY said that that did not weaken his argument but rather justified him in moving his Amendment. It was not always an easy thing for one to say that a person was, or was not, under the age of sixteen. Let them see for a moment what might happen. A girl of eighteen might be walking down a street with a cigarette in her hand. She might not be smoking it, but suppose a constable said that she was under sixteen, and asked her to give up her cigarette, and that she refused, and that he then took it from her. If an action was brought against the constable or park-keeper for assault under these circumstances, the only defence required would be that the constable or the park-keeper believed her to be under sixteen. Even assuming, for the sake of argument, that the girl won her case, it would cost her a very large amount of money, all owing to the stupidity or to the zeal of a constable anxious to get promotion for activity in the prosecution of his duty and carrying out all the powers entrusted to him under this Act. The word "apparently" had evidently been put into the clause to protect the police constable. If his Amendment were accepted, the result would be that the police constable would

know that he must exercise some reasonable precaution in taking the end of a cigarette out of the mouth of a young person. He hoped the Government would listen to reason and accept his Amendment, which he now begged to move.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) seconded the Amendment mainly in the interest of the unfortunate people who were to be given the duty of carrying out this portion of the Act. The machinery contained in the clause was absolutely absurd and unworkable, and he hoped the Government would modify the clause in the interest of their own Bill.

#### Amendment proposed—

"In page 24, line 33, to leave out the word 'apparently.'"—(Sir F. Banbury.)

Question proposed, "That the word proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said he had dealt with this point only a few minutes ago when it had been raised on another clause by the hon. Baronet. If the Amendment were adopted and the word "apparently" left out, the police and the park-keepers would have no defence if they took action against a person who looked of the age of eighteen and was, as a matter of fact, under sixteen. The Amendment would make the clause utterly unworkable.

MR. JAMES CAMPBELL hoped that his hon. friend would not press his Amendment. He doubted whether the clause would remain in the Bill, because, if the Amendment which stood in the name of the Under-Secretary, taking away from the police and the park-keepers the right of search, were passed, it would reduce the clause to a hopeless and ludicrous absurdity. However, if



Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Collins, Stephen (Lambeth)  
 Compton-Rickett, Sir J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.  
 Dobson, Thomas W.  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Hudson, Walter

Idris, T. H. W.  
 Jackson, R. S.  
 Jardine, Sir J.  
 Jenkins, J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kekewich, Sir George  
 Kennaway, Rt. Hon. Sir John H.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Newnes, Sir George (Swansea)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs., Leek)  
 Pearce, William (Limehouse)  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)

Robertson, J. M. (Tyneside)  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stewart-Smith, D. (Kendal)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Verney, F. W.  
 Vivian, Henry  
 Walters, John Tudor  
 Walton, Joseph  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, John (Durham, Mid.)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

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 Baldwin, Stanley  
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 Bull, Sir William James  
 Byles, William Pollard  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)

Collings, Rt. Hn. J. (Birmingham)  
 Collins, Sir Wm. J. (St. Pancras, W.)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Glover, Thomas  
 Gooch, Henry Cubitt (Peckham)  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)

Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Helmsley, Viscount  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Lambton, Hon. Frederick Wm.  
 Lane-Fox, G. R.  
 Lonsdale, John Brownlee  
 Lupton, Arnold  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 Meysey-Thompson, E. C.  
 Myer, Horatio  
 Oddy, John James  
 Pease, Herbert Pike (Darlington)



from whom they are seized."—(Mr. Walter Guinness.)

Question proposed, "That those words be there inserted."

\*MR. HERBERT SAMUEL said he wished he could see his way to accept Amendments strengthening this clause when proposed by hon. Gentlemen opposite, but this would involve the name and address of the child in every case being traced. The object of the clause was to stop smoking in the street, and he thought that while it was desirable that the parent should be informed in all cases, he did not think it should be made the statutory duty of the chief officer of police to embark upon these inquiries, and trace out the parent of every child in every case. For these reasons he hoped the hon. Member, although he knew he was earnestly interested in this clause, would not press this Amendment. Of course, it would be optional on the part of the police or the watch committees in any particular town to send information to the parent, but it should not be obligatory upon them to do so.

MR. CLAUDE HAY (Shoreditch, Hoxton) said the hon. Gentleman had made it perfectly clear that in the Bill as it was to be passed it was optional for the police to give this notice, but if the police did not exercise the option the child might be sent to prison, because he was unable to pay the costs, and the fine imposed upon him.

\*MR. HERBERT SAMUEL said he did not think the hon. Member was in the House when it was stated that Clause 41 was to be dropped. There would be no penalties upon the child or parent.

MR. CLAUDE HAY said that that made it all the more important that the parent should know what the child had done. They should have some intimation given to the parent of what the naughty boy or girl had done. Therefore he earnestly hoped that the Amendment of his hon. friend would be accepted.

MR. MOORE said that at an earlier stage of the debate on this clause the

Minister in charge of it said that the whole scheme of these provisions was based on a desire to secure the co-operation of the parents. Here was an earnest Amendment which gave the Government the means of securing their active co-operation, and as soon as it was brought before the House the Minister in charge said he could not accept it. Of course, they could not force his hand upon that, but he thought it was a sinister comment upon the *bona fides* of his own assertion that the object was to secure the co-operation of the parents.

VISCOUNT HELMSLEY thought it was a pity that the Under-Secretary had treated this Amendment so cavalierly, as it was one of the greatest importance. Surely they had arrived at a ridiculous position. They had made it illegal for a tobacconist to sell cigarettes to a child, and made it possible for a police constable to seize cigarettes; but there was absolutely nothing in the Bill making it illegal for the child to smoke tobacco. Therefore the one person they desired to get at was not got at at all by this Bill. Clause 41 might not have been a very reasonable clause, but it was logical, and in it there was a penalty for the child smoking. Now no penalty was provided, and therefore it appeared to him the least the Government could do if they dropped Clause 41 was to provide that a child doing that which was condemned by an Act of Parliament should be punished. The Under-Secretary seemed to have a very sanguine opinion of the character of young persons who would come under this Bill, and thought that the last thing they would do was to try to "rag" the police or the park constable by smoking, and then when the officer came up put the cigarette in their pockets. He seemed to think that the moment this Bill was passed the smoking of cigarettes would be finished, but it seemed to him that that was a very optimistic view to take, and that these sections as they stood would be inoperative, because there was no penalty whatever imposed, either parental or legal, upon the child who practised cigarette-smoking. If this Amendment were accepted the parent would be given an opportunity of punishing the child, and so be enabled to act with the State. He had himself ventured

the clause did remain in the Bill, then he was in favour of retaining the word "apparently," because it would protect the constable or the park-keeper who engaged in a chase to capture the end of a cigarette, in judging the age of the young person.

Amendment negatived,

MR. WALTER GUINNESS (Bury St. Edmunds) moved to add at the end of the clause the words: "And if any cigarettes, cigarette papers, or other tobacco are so seized, it shall be reported to the chief officer of police for the district, who shall send a written notice of the fact to the parent or guardian of the person from whom they were seized." He said he ventured to bring forward this Amendment because it was defeated in Committee by a majority of only one vote. When the Bill was in Committee he thought that the Amendment was hardly necessary, because at that time it was provided that in the event of the child smoking or showing disrespect for the police the child was to be summoned and punished in a very drastic manner for smoking. Now the Under-Secretary had undertaken to leave out Clause 41 and therefore made no provision for the punishment of juveniles for smoking in public parks or refusing to obey the police. Therefore, it appeared to him that the Amendment which he proposed was absolutely necessary. If it were not adopted this clause would only encourage smoking, as it would give great opportunity for amusement to small boys and undoubtedly lead them to buy cigarettes for the purpose of chaffing the police. Under the Bill as it now stood he thought boys would learn to smoke simply for the purpose of having the opportunity of a little amusement at the expense of the park-keepers and the police. They wished to avoid that state of affairs which had been depicted by the noble Lord the Member for Marylebone, and it was important that they should get the police backed up by the parents in standing out against smoking. This was one of the most dangerous provisions of the Bill, because it would familiarise the rising generation with the idea that

*Mr. James Campbell.*

they could break the law with absolute impunity. When they had been allowed to flaunt the police with regard to smoking, they might think the same might be the case in regard to more serious offences, and they might not be disposed to restrict the breach to a particular Act of Parliament. He did not like these smoking clauses at all, but he liked them less now that Clause 41 was left out, and he appealed to the Home Secretary to accept this Amendment which would give him an opportunity of mitigating one of the greatest dangers of the Bill. One of the most serious perils was that the Bill was going to be set in force through the influence of the police, the police court and industrial schools, which were far less efficient agents for the education of the young than the influence of the parent if properly exerted. He thought that the parent should know that his child was smoking so that he might prevent him from going to the park and chaffing the police. He could not see that anything would be lost by enlisting the parents on the side of the police and against smoking, and if this Amendment were adopted they might do a great deal to make this provision effective, and not make the police the laughing-stock of the country. He begged to move.

SIR F. BANBURY had pleasure in seconding the Amendment of his hon. friend, which he thought was a very useful one. If it were carried it would give the parent the power of exercising proper control over his offspring, and he would be able to give him a good flogging if it was necessary, the same as they used to get at school if they smoked unless they were in a certain part of the school. The Bill would have a greater effect, both morally and physically, if this clause were amended in this way. For these reasons he begged to second.

Amendment proposed—

"In page 23, line 32, at end, to insert the words 'And if any cigarettes, cigarette papers, or other tobacco are so seized, it shall be reported to the chief officer of police for the district, who shall send a written notice of the fact to the parent or guardian of the person

Bell, Richard  
 Bellairs, Carlyon  
 Benn, Sir J. Williams (Devonp'rt  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Black, Arthur W.  
 Boland, John  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramsdon, T. A.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Bryce, J. Annan  
 Bart, Rt. Hon. Thomas  
 Byles, William Pollard  
 Carr-Gomm, H. W.  
 Causton, Rt. Hon. Richard Knight  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (St. Pancras, W)  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Crooks, William  
 Davies, Sir W. Howell (Bristol, S)  
 Dewar, Arthur (Edinburgh, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Eastmont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Finnes, Hon. Eustace  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gladstone, Rt. Hon. Herbert John  
 Glas-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gordon, Rt. Hon. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George

Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Herry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Horrigan, Emslie John  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Jackson, M. S.  
 Jardine, Sir J.  
 Jenkins, J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lupton, Arnold  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Micking, Major G.  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklom, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Myer, Horatio  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.

Rea, Walter Russell (Scarboro'  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th  
 Richards, T. F. (Wolverh'mpt'n  
 Richardson, A.  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradford)  
 Robertson, J. M. (Tyneside)  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Scott, A. H. (Ashton under Lyne)  
 Seddon, J.  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John. Allsebrook  
 Smeaton, Donald Mackenzie  
 Spicer, Sir Albert  
 Stewart-Smith, D. (Kendal)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—  
 Master of Elibank and Mr.  
 Herbert Lewis.

\*MR. HERBERT SAMUEL moved the proviso that a constable, park-keeper, or other person shall not be authorised to search any person under sixteen found smoking. He said he did so with some reluctance, because he could not conceal

to put an Amendment on the Paper to Clause 41, in which he proposed to inflict a very old penalty, if this was to be a crime at all. The penalty was that of a whipping. Of course, that could not now come in, but he nevertheless thought it would have been more appropriate than fining the unfortunate parent 10s. or sentencing him to a term of imprisonment. But if his penalty could not come in now it would be proper and appropriate at least to give the parent the opportunity of punishing his child.

\*SIR WILLIAM ANSON (Oxford University) did not agree with the noble Lord in thinking that the Bill would be inoperative; he thought that it would afford a direct encouragement to children to smoke. Most boys of a tender age who might be seen smoking in public places did so, not because of any attachment to tobacco, but because they considered it a practice in advance of their years, and something moreover which their elders told them not to do, affording them, therefore, the added pleasure of disobedience which was so dear to boys of their age. Under the Bill, cigarette-smoking would have for boys even a greater attraction than before, because

the boys would now be actually breaking the law. The Legislature had now given a zest to juvenile smoking which it had hitherto not possessed in the juvenile mind. Not only could a boy do this grown-up thing, of which his parents possibly disapproved, but he was now even to be reported to his parent, so that he was given a whole afternoon's amusement at the expense of the constable or park-keeper. He would get hold of two or three cigarettes, walk along with one in his mouth, dance in front of the park-keeper, and when the park-keeper had caught him the boy would put his cigarette in his pocket. The right of search having been taken away the matter there came to an end until the youth again put his cigarette into his mouth and the amusement would begin all over again. He, therefore, had the pleasure of breaking the law, of doing what his parent would not like him to do, of annoying the park-keeper, and thus he obtained an afternoon's amusement—and all at the instance of a paternal Government which was only too anxious to do him good.

Question put.

The House divided :—Ayes, 55 ; Noes, 207. (Division List No. 252.)

#### AYES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
Anson, Sir William Reynell  
Balcarres, Lord  
Barrie, H. T. (Londonderry, N.)  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord John P. Joicey-  
Cecil, Lord R. (Marylebone, E.)  
Collings, Rt. Hon. J. (Birmingham)  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.

Forster, Henry William  
Gretton, John  
Guinness, Hon. R. (Haggerston)  
Hamilton, Marquess of  
Hay, Hon. Claude George  
Helmsley, Viscount  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Lane-Fox, G. R.  
Lockwood, Rt. Hon. Lt.-Col. A. R.  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
Magnus, Sir Philip  
Meysey-Thompson, E. C.  
Moore, William  
Morpeth, Viscount  
Parker, Sir Gilbert (Gravesend)  
Paulton, James Mellor

Pease, Herbert Pike (Darlington)  
Rawlinson, John Frederick Peel  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Cravell  
Talbot, Lord E. (Chichester)  
Thornton, Percy M.  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Lionel  
Williams, Col. R. (Dorset, W.)  
Winterton, Earl  
Younger, George

TELLERS FOR THE AYES—Mr.  
Walter Guinness and Sir  
Frederick Banbury.

#### NOES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Alden, Percy  
Allen, A. Acland (Christchurch)

Armstrong, W. C. Heaton  
Atherley-Jones, L.  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)

Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beauchamp, E.  
Beck, A. Cecil

*Viscount Helmsley.*



### Amendment proposed—

"That Clause 41 be omitted."—(*Mr. Herbert Samuel.*)

### Amendment agreed to.

SIR F. BANBURY moved the omission of Clause 42 (Provisions as to automatic machines for the sale of tobacco). They all knew that automatic machines were put in various places, particularly railway-stations and exhibitions, for the sale of various commodities, and that the owners had to pay rent for the ground on which they stood as well as considerable sums for the machines themselves. All that money was to be wasted because forsooth some person under sixteen might occasionally put in a penny and take out a cigarette. How did the Under-Secretary propose to find out whether any young person was in the habit of going to one of the machines, putting a penny in, and taking out a cigarette? Did he propose to get policemen, park-keepers, or persons in uniform to watch every one of the machines? Unless he did so, how did he intend to find out that a machine was being extensively used by children or young persons for the purpose of obtaining cigarettes? Of course, it was absolutely certain he was not going to do anything of the sort. Human nature was not going to be altered by this or any other Bill, and there would be nothing to prevent a rival trader who wanted the site going to a policeman and, out of spite, saying that he had seen a boy apparently under sixteen on several occasions put a penny in a machine and take out a cigarette. The police naturally would be bound to summon the owner for allowing his machine to be used by young persons for the purpose of obtaining cigarettes, and the Court would be able to order that such precautions should be taken as would prevent the machine being so used. The only possible precaution would be to place a responsible person by the machine to see that young persons did not put

pennies in the slot and obtain cigarettes. The very object of the machines, however, was to do away with the necessity of having attendants. That object would be defeated merely because occasionally some young person might obtain a cigarette from a machine. A station was a public place in which there was often a policeman, and at an exhibition there would be a person in uniform. If they saw a boy put a penny in an automatic machine and take out a cigarette, they would be able to take it away from him providing he smoked it, and he would have thought that was a good precaution and sufficient for the purpose of the Bill. There was a heavy fine to be inflicted upon the unfortunate person who failed to comply with a magistrate's order, and take precautions to see that his machine was not used by juveniles to obtain cigarettes. He was to be liable to a fine not exceeding £5 on summary conviction, and to a further fine not exceeding £1 for every day during which the offence continued. That seemed to him a monstrous punishment for a very small offence, if it was an offence at all. If he did not pay the fine, he was liable to go to prison. The Under-Secretary might say that if it were not for this clause every boy would get cigarettes out of automatic machines, and so evade the provisions of the Bill. Was it really likely they would do so; but even if they did the end of the world would not come because the provisions of the Bill were not carried out, whereas a considerable amount of inconvenience and injustice would be inflicted if they were.

MR. MOORE said the provisions of this clause were slightly different, and unfairly different, in comparison with those they had already considered. The tobacconist was protected from any charges involving an offence under the Act where he sold his commodities to a person who was apparently not under the age of sixteen. A young person was defined in the



the fact that the Amendment lessened the effectiveness of Clause 40. But he moved it in accordance with a pledge given in Committee. During the discussions in Committee, not only the opponents, but the supporters of this measure, urged upon him that the police should not be given a right to search a child or young person found smoking in a public place. They considered that it was an indignity to which they should not be subjected. That being so, he undertook to put down some Amendment on the lines on which he now moved. He complained that hon. Gentlemen opposite had not treated him quite fairly with reference to this clause. After having honestly attempted to meet their wishes, he had merely been met by the accusation that he had made the clause weak and ineffective.

**Amendment proposed—**

"In page 23, line 32, at end to insert the words 'Provided that such constable, park-keeper or other person as aforesaid shall not be authorised to search any person so found smoking.'"—(*Mr. Herbert Samuel.*)

Question proposed, "That those words be there inserted."

MR. JESSE COLLINGS said it would puzzle anybody to know what the general principle of the clause was. They had done away with the penalty and with the right of search. What was there left? A policeman was ordered to seize any cigarettes in the possession of these children, but he would only be able to seize the cigarette in the child's mouth. He would not be able to tell whether or not the child had any more because he would not be allowed to search. The whole proceeding was absurd, and he could not help feeling that hon. Members opposite, who had been so silent, and had not uttered any defence of the clause, would agree that the clause was full of absurdities.

MR. H. J. TENNANT (Berwickshire): That is not so.

MR. JESSE COLLINGS: But they have not said they support the clause.

MR. H. J. TENNANT: No, in order to save the time of the House.

*Mr. Herbert Samuel.*

MR. JESSE COLLINGS said that that was a very old story. The clause would create a new trade. He wished he had had such an opportunity when he was a lad which this clause would give. Boys under sixteen would say to their pals who were seventeen: "You just go and buy us some cigarettes, and we will give you one for your commission." Lads would not have the slightest difficulty in getting cigarettes. It was absurd to think such a thing. Would any hon. Member say there would be any difficulty? Their silence answered the question. There was the incentive in every direction not only to have the fun which was to be got without risk of any penalty, but also to get cigarettes in a co-operative manner. A boy of sixteen and-a-half years would only be too glad to earn commission by getting any number of cigarettes. The whole clause would be not only inoperative, but ridiculous and mischievous, and it would tend to increase the very evil which it was no doubt wished to decrease. One might ask the Under-Secretary whether he would not consider the dropping of the clause instead of allowing it to become a laughing stock.

MR. MOORE wished to call attention to the regret which the Minister in charge of the Bill had expressed for the position in which he found himself in being obliged to move an Amendment that a constable, park-keeper, or other person should not be authorised to search a person found smoking in the street or a public place. He felt regret that he was obliged to bring in an Amendment which would prevent a policeman in a public place searching a young girl.

\*MR. HERBERT SAMUEL: The hon. Member will excuse me. That is not so at all. I distinctly said that the "boy" was changed back to "person" in view of the fact that this Amendment with regard to search was to be inserted.

MR. MOORE said that without any qualification whatever the Minister in charge of the Bill had expressed his regret that he had to move the Amendment.

Question put, and agreed to.

but he would permit him in perfect frankness and friendliness to suggest that if he wanted to get his Bill through he had better not accuse the Opposition of unfairness. This was one of those Bills which they could really only pass with the consent of the Opposition. He knew that that was a very disagreeable position for the majority, when it was as big and as impatient as the present one, to have to face, but it was a fact. This was a Bill with an enormous number of clauses, and he could not help thinking that the Under-Secretary, if he had no better grounds on which to base this clause than those he had presented to them, would have done well to drop it. If that were the Palace of Truth, and the Under-Secretary told them what was in the back of his mind, he thought he would admit now that he was very sorry he had not dropped four or five clauses a long time ago, because he would have been saved a weary debate, and the Bill would have been to all intents and purposes for the protection of the children of the country an even better Bill than it would be with those numerous clauses in it. Clauses of this kind would not be used in the admirable manner in which the Under-Secretary suggested, merely to deal with the case where there might be shows in which were placed machines used exclusively by children. What was the cause of half the controversy and the debate which was going on in the country? It was the bitterness and the extreme character of the competition which made living by traders of all kinds almost impossible. That was what was driving men to look into these matters for themselves and see whether they could not find some new remedy. What was legislation of this kind going to do? In order to provide against the case of some show where children might be using these machines to get cigarettes they were going to give to magistrates a power which might, without any charge of injustice, be used with very consider-

able unfairness towards traders in various parts of the country. The Under-Secretary said he had received no representations. He had been responsible for many Bills which had affected traders of all kinds, and nobody knew better than a Minister who had had charge of a Bill how frequently it happened that clause after clause was put into a Bill and went through the House, and it was not until, through the medium of the police and the consequent interference with the liberty of the subject, the effect was appreciated and the individual realised what was the interference with his trade. The fact that the Under-Secretary had received no representations from the traders connected with these machines was no evidence whatever as to the working of these clauses and afforded no reason at all why they should give their assent to what they believed to be an unnecessary and vexatious proposal. This group of clauses was put in to prevent children smoking—an admirable thing. He doubted whether the figures given by the Home Secretary, for which he produced neither chapter nor verse, could be sustained. For the first time he had heard the suggestions made as to the effects of smoking. They were not figures which had ever yet been accepted by the House of Commons as a guide to legislation, and they ought never to have been given. While he did not accept the statement of the case as presented by the Government, they all agreed that smoking by children of tender years was an abominable thing which ought to be stopped. How were they going to stop it? By a series of clauses which proposed to harass an industry and interfere with individual liberty, and transfer the responsibility of the parent to the police, the park-keeper, and the trader. That was ridiculous legislation. The Under-Secretary told them they were unreasonable. They were not unreasonable. It did not at all follow that, because they objected to the clause in its original form, they

were unreasonable if they objected to the Amendments which the Government themselves proposed to make. It did not follow that their Amendments made the clause a bit more palatable to them than it was in its original form. They objected to the clause on principles which they had always held, and it was to him very remarkable that in dealing with a clause like this, which was to enable these automatic machines to be practically got rid of in certain places, they had really to defend the interests of the poorest and weakest kind of trader in the country. These machines were not the property of large traders, and they were not held in great quantities by one firm, except in a limited number of cases. When the Under-Secretary said that if he had not put these provisions in the Bill they would have upbraided him for allowing cigarettes to be sold by somebody other than the trader, he was entirely wrong. They were not affected by any feelings of that kind. They did not want adversely to criticise the Bill, but the Government could not ask them to pass by provisions of this kind and adopt them in a few minutes, on finding they had been put into a Bill with which they had really no connection whatever. He did not regret the time which had been spent upon the Bill, because, apart altogether from the effect it would have on the legislation they were passing, it would show the House of Commons for the first time that if they were going to rely upon the Standing Committee system they must use these Committees for the purpose for which they were set up, namely, for non-controversial legislation which did not raise great issues or give rise to con-

siderable debate. If they tried to create new offences and to extend the powers exercised by the magistrates and police, they ought to do it in legislation which went through the full regular forms of the House. He hoped that the debates on these clauses would give the country some indication of the extraordinary tendency that legislation was now assuming, and that they would throw a fresh light on the way in which attempts were being made to get legislation through the House by means of Standing Committees without a proper opportunity being given either to the country to understand it or to the House to debate it. For those reasons he most cordially supported the Amendment of his hon. friend, and he ventured to assert that the action of the Opposition in opposing this group of clauses had been thoroughly justified. If the Government had taken their advice, and allowed those objectionable proposals to be eliminated from the Bill, their legislation would have been much better; but as they had refused to do this, the responsibility must rest upon the Government. The clauses to which he referred were quite unnecessary and in no way connected with this Bill—in fact their only effect would be to weaken instead of strengthen the measure. Those were the reasons which had justified the Opposition in the line of action they had adopted, and there was nothing unreasonable in the course they had pursued. He believed that this kind of legislation was thoroughly bad and was establishing a new and dangerous precedent.

Question put.

The House divided :—Ayes, 201 ; Noes, 56. (Division List No. 253.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Balfour, Robert (Lanark)

Baring, Godfrey (Isle of Wight)  
Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beck, A. Cecil  
Bell, Richard

Bellairs, Carlyon  
Benn, Sir J. Williams (Devonport)  
Bennett, E. N.  
Berridge, T. H. D.  
Black, Arthur W.

*Mr. Walter Long.*

Boland, John  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramsdon, T. A.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Bryce, J. Annan  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard  
 Carr-Gomm, H. W.  
 Casson, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras W.)  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Crooks, William  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Dockworth, James  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Essex, R. W.  
 Easlemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Fennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gladstone, Rt. Hn. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gordon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George

Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Horniman, Emslie John  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Micking, Major G.  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Nannetti, Joseph P.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Connor, John (Kildare, N.)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.

Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradford)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Scott, A. H. (Ashton-under-Lyne)  
 Seddon, J.  
 Seely, Colonel  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Spicer, Sir Albert  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walters, John Tudor  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh, N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—  
 Mr. Joseph Pease and Master  
 of Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Anson, Sir William Reynell  
 Balcarres, Lord  
 Barrie, H. T. (Londonderry, N.)  
 Bowles, G. Stewart  
 Bridgman, W. Clive

Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Evelyn (Aston Manor)

Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Collings, Rt. Hn. J. (Birmingham)  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip



Duncan, Robert (Lanark, Govan)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson

Lambton, Hon. Frederick Wm.  
 Lane-Fox, G. R.  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 Long, Rt. Hon. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lupton, Arnold  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 Magnus, Sir Philip  
 Meysey-Thompson, E. C.  
 Morpeth, Viscount  
 Rawlinson, John Frederick Peel  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)

Ronaldshay, Earl of  
 Rothschild, Hon. Lionel Walter  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Williams, Col. R. (Dorset, W.)  
 TELLERS FOR THE NOES—  
 Sir Frederick Banbury and  
 Mr. Moore.

LORD R. CECIL moved to insert after "premises" the words "to which the public have access," his object being to confine the operation of the clause to those premises which were public places. It was not quite clear against whom the complaint was to be made. The order might be made upon the owner of the machine or upon the persons on whose premises the machine was kept. He did not know whether the Home Secretary contemplated as the criminal the owner of the machines or the owner of the premises. It seemed to him to be rather a strong order to say that the owner should be compelled to take measures to prevent his machines being used in this way when standing on premises which in ninety-nine cases out of 100 did not belong to him at all. The Amendment, he submitted, would confine the operation of this clause to premises which were public places, and an important category which would be excluded would be railway stations. The owner of a machine might establish and build up a perfectly legitimate and regular trade in cigarettes to grown-up people at a particular place, and children might come along and take advantage of his machines, not for the purpose intended but to gratify their desire to obtain cigarettes, and in this way a very valuable trade belonging to the owner of the

machines might be destroyed. He could not think that the Under-Secretary would desire in that case to penalise the owner as heavily as would be the case under this clause. He thought it would be better to confine the operation of this clause to those positions to which children would have access, and leave railway platforms outside the operation of this clause. The Under-Secretary said upon the previous Amendment that if he had not made provision for dealing with automatic machines the Opposition would have complained about unfair competition, and probably that would have been the case. He thought some such proposal as that contained in his Amendment was required if justice was to be done—

And, it being Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended (in the Standing Committee), to be further considered To-morrow.

Whereupon MR. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House, without Question put.

Adjourned at one minute after Eleven o'clock.



# HOUSE OF LORDS.

*Wednesday, 14th October, 1908.*

## RETURNS, REPORTS, ETC.

### TRADE REPORTS (ANNUAL SERIES).

No. 4142. Turkey (Beirut and Coast of Syria).

No. 4143. Italy (Leghorn).

No. 4144. Panama (Panama).

No. 4145. Italy (Lombardy).

Presented (by Command), and ordered to lie on the Table.

### DISEASES OF ANIMALS ACTS, 1894-1903.

Order No. 7570, dated the 7th day of October, 1908, revoking Order No. 7559, dated the 22nd day of September, 1908, relating to the ss. "Diana" and to animals carried thereon; laid before the House (pursuant to Act), and to be printed. (No. 207.)

### BUSINESS OF THE HOUSE.

Ordered that the House, on its rising do adjourn to Tuesday next, except for Judicial Business.

House adjourned at half-past Four o'clock, till To-morrow, half-past Ten o'clock.

# HOUSE OF COMMONS.

*Wednesday, 14th October, 1908.*

The House met at a quarter before Three of the Clock.

## PETITIONS.

### ELEMENTARY EDUCATION (ENGLAND AND WALES BILL).

Petitions in favour; From Beeford; and North Frodingham; to lie upon the Table.

### LICENSING BILL.

Petitions against: From Aston; Aston Manor (two); Biggleswade; Birmingham (twenty-one); Bordesley (two); Bordesley Green; Brislington (two); East Birmingham (two); Erdington (three); Erdington and Gravelly Hill; Evesham;

Handsworth and Aston; Ilkeston; King's Heath; Nechells; North Wales; Porthfield; Quarry Bank; Redditch (two); Rugby; Saffron Walden; Shirley; Small Heath (three); Sparkhill; and Wednesbury; to lie upon the Table.

Petitions in favour; From Beeford; Denton; Halifax; North Frodingham; and Wellingborough; to lie upon the Table.

## RETURNS, REPORTS, ETC.

### TRANSVAAL.

Copy presented,—of Further Correspondence relating to Legislation affecting Asiatics in the Transvaal [by Command]; to lie upon the Table.

### OFFENCES IN COUNTY ARMAGH (IRELAND).

Return presented,—Relative thereto [ordered 28th July; Mr. Sloan]; to lie upon the Table.

### DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 TO 1907.

Copy presented,—of an Order, dated the 5th day of October, 1908, entitled "The American Gooseberry Mildew (Shropshire) Order of 1908" [by Act]; to lie upon the Table.

### SUPERANNUATION ACT, 1887.

Copy presented,—of Treasury Minute, dated 16th September, 1908, granting a Retired Allowance to Mr. H. S. Ball, Telegraph Engineer, Second Class, Post Office, under Section 2 of the Act [by Act]; to lie upon the Table.

### SUPERANNUATION ACT, 1887.

Copy presented,—of Treasury Minute, dated 2nd October, 1908, granting a Retired Allowance to Mr. W. D. Ballantyne, Sorting Clerk and Telegraphist, Edinburgh Post Office, under Section 2 of the Act [by Act]; to lie upon the Table.

### PUBLIC REVENUE (INTERCEPTION).

Return ordered, "of the amounts of all Public Revenue derived from taxes levied by Parliament, and from any other sources, which are not paid into His Majesty's Exchequer, for the years 1905-6, 1906-7, 1907-8, and 1908-9 (estimated), with the totals in each case (in continuation of Parliamentary Paper, No 334, of session 1906)."—(Mr. Bowles.)

**QUESTIONS AND ANSWERS  
CIRCULATED WITH THE VOTES.**

**Payment of Naval and Military Pensions  
Weekly through the Post Office.**

MR. R. PEARCE (Staffordshire, Leek): To ask the Secretary of State for War whether arrangements can be made for payment next year of Army and Navy pensions by weekly instalments through the Post Office, in the same way as contemplated for old-age pensions.

(*Answered by Mr. Secretary Haldane.*) As I informed the hon. Member for North Salford on the 25th February last, arrangements have been made for monthly or weekly payment of Army pensions through boards of guardians or otherwise in individual cases where the pensioners so desire or when the pensioner is of such a character as to make this course desirable. But as pensions are paid quarterly in advance, to introduce universal weekly payments would not in the majority of cases be in the interests of the pensioners. The question of making weekly payments through the Post Office will be considered when the arrangements for the payment of old-age pensions are in working order.

**London Traffic Problems.**

MR. CARR - GOMM (Southwark, Rotherhithe): To ask the Prime Minister whether the Government will be able to deal with the question of London traffic during the coming winter; whether the special branch of the Board of Trade has presented its Report on this matter; and whether the Government will set apart a grant for widening the London streets and improving the means of communication in connection with its proposals for the relief of unemployment in London.

(*Answered by Mr. Asquith.*) I understand that the London Traffic Branch of the Board of Trade has presented its Report to the Board, and that it will shortly be laid upon the Table of the House. I cannot hold out any hope that legislation dealing with London traffic can be enacted during the present session.

**Transfer of National Telephone Company.**

SIR G. KEKEWICH (Exeter): To ask the Postmaster-General whether

his attention has been drawn to the statements made by the Staff Transfer Association on behalf of the staff of the National Telephone Company, to the effect that about 6,000 men, representing the construction staff of the company, will have to be dismissed prior to the transfer of the company's plant to the Post Office on the 31st December, 1911, and that such dismissals will be caused by works not being undertaken which appear to be necessary and desirable in the interests of the telephone service and the public; and whether the Postmaster-General will take immediate steps to see that some arrangement is come to by which the development of the telephone service can proceed uninterruptedly throughout the United Kingdom on efficient lines, so as to avoid inconvenience to the public, and the unnecessary dismissal of qualified men whose services will hereafter be required by the Post Office, and so as to provide remunerative work, if possible, for some of the men and women at present unemployed.

(*Answered by Mr. Sydney Buxton.*) The matter to which the hon. Member refers has been, and is, engaging my careful attention, and I am in communication with the National Telephone Company on the subject. I may add that I believe that many of the statements which have been made, in the Press and elsewhere, on this subject are incorrect or exaggerated.

**QUESTIONS IN THE HOUSE.**

**Admiralty Granite Contracts.**

SIR GILBERT PARKER (Gravesend): I beg to ask the First Lord of the Admiralty what contracts have been given by the Admiralty during the last six months to British contractors for granite; what amount of money they represent individually; and what total value in annual wages is likely to accrue to the British workman.

THE FIRST LORD OF THE ADMIRALTY (Mr. MCKENNA, Monmouthshire, N.): The only direct contracts for granite let during the last six months have been for British granite setts for paving, and amount to £250. In the case of large works contracts, the

granite is ordered by the contractor and not by the Admiralty; but it is understood that the cost of the granite to be used in the construction of the Portsmouth Lock, the only big work for which the contract has been recently let, is about £55,000, and in this case the stone will be British. The Admiralty have no exact knowledge of the proportions of these sums which will be spent in wages.

#### Royal Naval Reserve.

**SIR GILBERT PARKER:** I beg to ask the First Lord of the Admiralty if he can now say whether the Government has decided to grant officers and men of the Royal Naval Reserve a long-service and good-conduct medal.

**MR. MCKENNA:** It has been decided to institute a decoration for officers of the Royal Naval Reserve and of the Royal Naval Volunteer Reserve, and a long-service and good-conduct medal for men of the Royal Naval Reserve and members of the Royal Naval Volunteer Reserve.

#### Admiralty Pensioners.

**MR. GODFREY BARING** (Isle of Wight): I beg to ask the First Lord of the Admiralty whether he is aware that several boards of guardians have passed resolutions requesting the Admiralty to arrange for the weekly payment of naval pensions; and whether he can hold out any hope that these requests will be complied with in the near future.

**MR. MCKENNA:** I am aware that such resolutions have been passed, and I have been giving them the fullest consideration. After weighing most carefully the relative merits of the present system of payment of pensions and that proposed by the boards of guardians, we have come to the conclusion that the balance of advantage lies, on the whole, with the present system, and there does not appear to be sufficient ground for departing from the existing arrangements under which naval pensioners receive payment quarterly in advance.

**MR. BYLES** (Salford, N.): Is the right hon. Gentleman aware that this matter has been pressed upon his predecessors by several bodies?

**MR. MCKENNA:** Yes, Sir. I am aware resolutions have been passed by several bodies, but I have come to the conclusion that the balance of advantage lies on the whole with the present system. There does not appear sufficient ground therefore for departing from the present arrangement by which the naval pensioners receive payment quarterly in advance.

**SIR FRANCIS CHANNING** (Northamptonshire, E.) asked whether the right hon. Gentleman could give the number of boards of guardians who had sent up resolutions, and whether they had not based the resolutions on the scenes of drunkenness and disorder which arose.

**MR. MCKENNA:** I cannot say offhand. I am under the impression that boards of guardians have not made any definite inquiry as to the number of cases of thriftlessness among naval pensioners. The Admiralty have inquired, and they have found that the present system is far more popular than a different system would be amongst the pensioners themselves, and that thriftless persons among naval pensioners are few. In the circumstances, the Admiralty would not be justified in making the change in question.

**MR. TOMKINSON** (Cheshire, Crewe): Would it not be possible for pensions to be paid quarterly to the guardians and by them paid out weekly to the pensioners?

**MR. MCKENNA:** I should be pleased to consider any proposal of that kind, but I do not think I should be justified in promising to alter a system which gives satisfaction to the vast majority of those concerned.

**EARL WINTERTON** (Sussex, Horsham): Will the right hon. Gentleman give a return of the board of guardians which have passed these resolutions.

**MR. MCKENNA:** I shall be pleased to give that information.

**AN HON. MEMBER** asked whether the First Lord of the Admiralty consulted the War Office before arriving at a decision?

MR. McKENNA said he did not know that there was any analogy between the cases of naval and War Office pensioners.

#### Army Pensions.

MR. GODFREY BARING: I beg to ask the Secretary of State for War whether he is aware that several boards of guardians have passed resolutions requesting the War Office to arrange for the weekly payment of Army pensions; and whether he can hold out any hope that these requests will be complied with in the near future.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The War Office has received several resolutions on this subject from boards of guardians. As I informed the hon. Member for North Salford, on the 25th February last, arrangements have been made for monthly or weekly payment of Army pensions through boards of guardians or otherwise, in individual cases where the pensioners so desire, or when the pensioner is of such a character as to make this course desirable. But as pensions are paid quarterly in advance, to introduce universal weekly payments would not in the majority of cases be in the interests of the pensioners. The question of making weekly payments through the Post Office will be considered when the arrangements for the payment of old-age pensions are in working order.

#### Press Prosecutions in India.

SIR H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for India whether his attention has been drawn to the case of one Fazl Hassan, editor of a monthly magazine, the *Urdu-i-Mualla*, who has been sentenced by the magistrate of Aligarh to two years hard labour and a fine of Rs. 500 for publishing an article adversely criticising British educational policy in Egypt; and whether he will make inquiry into the facts with a view to the remission or modification of this sentence.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): It is open to the accused in this case to appeal to the High Court for a remission or modification of this sentence.

\*MR. REES (Montgomery Boroughs): Is this the editor who in addressing the jury said he was only following in the footsteps of the hon. Members for Sleaford and East Nottingham?

MR. LUPTON (Lincolnshire, Sleaford): And could he do better than follow in their footsteps?

SIR H. COTTON: Was not this a conviction for adversely criticising the policy of the Government in Egypt, and does such criticism amount to sedition in India?

MR. BUCHANAN: My hon. friend is asking the Secretary of State to interfere with the judgment of the Court, but inasmuch as the accused has a right of appeal he declines to do so.

SIR H. COTTON: Has the appeal been lodged?

MR. BUCHANAN: I cannot say.

MR. KEIR HARDIE (Merthyr Tydvil): Will inquiry be made into the facts as set forth in the Question?

MR. BUCHANAN: It would be unusual and improper on the part of the authorities here to institute an inquiry in a case where the accused has the right of appeal.

#### Government Pensioners and Political Agitation in India.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether his attention has been drawn to a recent notification in the Central Provinces *Gazette* depriving one Sheoraj Singh, a retired *tuhzildar*, of his pension on the ground of his participation in political agitation; whether he can state the specific character of the agitation in which this retired official took part; and whether he will make inquiries into the facts of this case with a view to the reversal of the orders passed.

MR. BUCHANAN: The details of the conduct of Sheoraj Singh, in consequence of which he was deprived of his pension under Article 351 of the Pension Code, have not been reported to the Secretary of State. It is open to Sheoraj Singh to submit an appeal in the usual manner against the order, if he desires to do so.



**SIR H. COTTON:** Has he done so? Will the right hon. Gentleman make inquiry into this case, which appears to be of a peculiarly scandalous nature?

**MR. BUCHANAN:** No, Sir. The accused has the right of appeal. Whether he has done so, I cannot say, but the Government cannot interfere.

**\*MR. REES:** Does the rule under which this officer was deprived of his pension apply, and if not, should it not apply to all classes of pensioners of the Government of India?

**MR. BUCHANAN:** That is a question of a far-reaching character of which I must have notice.

**SIR H. COTTON:** Am I to understand the Government of India hold that if a pensioner takes part in a political agitation he is liable to be deprived of his pension?

**MR. BUCHANAN:** I cannot give a general answer to such a general Question. I have answered the Question on the Paper.

#### Indian Seditious Cases.

**SIR H. COTTON:** I beg to ask the Under-Secretary of State for India whether his attention has been drawn to what is known as the Karur seditious case, in which a young man of nineteen years of age has been sentenced by the Judge of Coimbatore to five years transportation for making two seditious speeches, although he tendered an apology to the Government at the beginning of the trial and the assessors in Court strongly recommended him to mercy; and whether he will make inquiry into the facts of this case with a view to the remission or modification of the sentence.

**MR. BUCHANAN:** In this case also it is open to the accused to appeal to the High Court.

**MR. LUPTON** asked whether there was still in India anything in the nature of free speech and a free Press.

**MR. BUCHANAN:** Yes; a great deal of it.

#### Land Sales in Crown Colonies.

**MR. WEDGWOOD** (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies whether he is aware that the revenue of several of the Crown Colonies, as given in the various annual Colonial Reports, includes moneys received for the purchase of land; and whether he will issue instructions that land sales be kept distinct from annual revenue in future, in order to give a juster account of the Colonies' financial position.

**THE UNDER-SECRETARY OF STATE FOR THE COLONIES** (Colonel SEELY, Liverpool, Abercromby): It is already the rule that in the Estimates the proceeds of the sale of Government lands should be kept distinct from the total revenue from other sources, and directions will be given that these headings shall be kept separate in the annual Colonial Reports.

#### Northern Nigeria Taxation.

**MR. WEDGWOOD:** I beg to ask the Under-Secretary of State for the Colonies whether the abolition of the caravan tax in Northern Nigeria has been counter-balanced yet by the anticipated increase in land revenue in that Colony.

**COLONEL SEELY:** Actual figures are not available, but the Governor estimates that the land revenue will this year produce £41,000 more than in 1906-07, when the caravan tolls were abolished. The tolls were then bringing in about £33,000 a year.

#### Gold Coast Land Sales.

**MR. WEDGWOOD:** I beg to ask the Under-Secretary of State for the Colonies whether any revenue is derived from land in the northern territories of the Gold Coast; whether there is still an annual deficit on the administration of the northern territories; and whether he will take steps to find out if the system of land tenure and taxation working successfully in Northern Nigeria could be introduced into the northern territories of the Gold Coast also.

**COLONEL SEELY:** No revenue is derived from land in the northern territories of the Gold Coast. There is an annual deficit, which is made good



from the revenues of the Gold Coast. The difficulties in the way of introducing the Northern Nigeria system into these territories were explained in the Answer given to a similar Question by my hon. friend on the 6th February last.

#### Uganda Lands.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to a scheme propounded by the Land Officer of Uganda whereby leading natives are to be allowed to dispose of a percentage of the natives' land to white settlers; has such a scheme been sanctioned; who receives the money paid for the land; and why is a totally different theory as to native rights to land and the power of individual natives to alienate land to whites held in the East Coast from that held in the West Coast Colonies.

COLONEL SEELY: The Secretary of State is not aware of the existence of any such scheme as that to which my hon. friend refers. He has on the contrary recently approved of a law by which natives of the Uganda Kingdom are forbidden to alienate land to non-natives without the consent not only of the Governor, but also of the Lukiko, or Native Council. The total quantity of native land permanently alienated since 1900 is 29½ acres only.

MR. WEDGWOOD: Why is it the natives in East Africa can alienate land to whites whereas they are not allowed to do so in West Africa?

COLONEL SEELY: I think the Answer I have given covers the point raised by my hon. friend.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies whether, in view of the instructions issued by the Colonial Office to the East African Protectorate declaring that lands shall only be leased to whites at revisable rents and not permanently alienated, and in view of the fact that a similar policy has now been adopted by the German Government in their Colonies, he can see his way to stop the granting by the Government of freehold to whites in Uganda.

COLONEL SEELY: Applications to purchase the freehold of land in Uganda have hitherto been so infrequent that it has not been thought necessary to restrict the grant of such applications except by laying down that the assent of the Secretary of State must be obtained to any grant involving the alienation of more than 1,000 acres. The Secretary of State will be happy to consider the suggestion made by my hon. friend.

\*MR. REES: May I ask whether the Colonial Office contemplates a policy which postulates the disqualification of white men?

COLONEL SEELY: The words of the supplementary Question are so long that I can hardly understand them.

#### Uganda Company.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies whether a company calling itself the Uganda Company has acquired 5,000 acres of land in Uganda; and, if so, on what terms did they acquire this concession and what price did they pay, or what rent are they going to pay, and to whom.

COLONEL SEELY: Permission was given to the Uganda Company in the year 1905 to purchase 10,000 acres of land in Uganda in freehold. It appears from the latest returns that the Company have actually so far acquired 4,715 acres. The price paid to the Government of Uganda was Rupees 8266.

#### Transvaal Retrenched Civil Servants.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether the Return of Transvaal Retrenched Civil Servants is now ready; and when will it be laid upon the Table.

COLONEL SEELY: The greater part of the information has just been received, and it is being put into print; the remainder is expected by the next mail, and I expect to be able to lay the Paper in the course of the next fortnight.

SIR GILBERT PARKER: Will the Return include civil servants on the Railways, the Constabulary, and the Johannesburg police?

**COLONEL SEELY:** Yes, I think all those categories are included in the Return.

#### Orange River Education Bill.

**SIR GILBERT PARKER:** I beg to ask the Under-Secretary of State for the Colonies whether the Education Bill passed by the Orange River Colony Legislature was submitted in its final form to this Government; and whether it has received the assent of the Crown.

**COLONEL SEELY:** The Bill was not submitted to the Secretary of State as a whole in its final form, but the Governor kept him informed by telegraph of the Amendments which were made in it. The Governor has given his assent.

**SIR GILBERT PARKER:** Do we understand that the Government have given their assent to the principles of this Education Bill passed by the Orange River Colony?

**COLONEL SEELY:** The Governor has given his assent, but of course the Bill will come home in the usual way to the Secretary of State in order that he may advise His Majesty thereon.

#### New Hebrides Convention.

**MR. STAVELEY-HILL** (Staffordshire, Kingwinford): I beg to ask the Under-Secretary of State for the Colonies whether the minimum height of children recruited under the terms of the New Hebrides Convention has yet been fixed.

I beg also to ask the Under-Secretary of State for the Colonies what steps have been taken to ensure separate housing accommodation for unmarried men and women under the New Hebrides Convention.

**COLONEL SEELY:** His Majesty's Government have issued instructions to their officers prohibiting the recruiting of women and children in the New Hebrides.

#### France and the New Hebrides.

**MR. STAVELEY-HILL:** I beg to ask the Under-Secretary of State for the Colonies whether the French Government have prohibited the recruiting of women and children for service in New Caledonia.

**THE PARLIAMENTARY SECRETARY TO THE TREASURY** (Mr. J. A. PEASE, Essex, Saffron Walden). The instructions issued by the French Government in 1907 to the French High Commissioner in the New Hebrides with regard to the question of native labour, contained the provision that in all recruiting licences issued, a clause should be inserted forbidding women and children to be taken out of the group, with the exception of those who might accompany the head of their family. My right hon. friend would call the attention of the hon. Member to the above mentioned instructions, as quoted in the New Hebrides Blue-book, containing the notes exchanged between the United Kingdom and France on the 29th August, 1907, (Cd. 3876, Treaty Series No. 3, 1908.)

#### Imports of Drugs into China.

**\*MR. REES:** I beg to ask the Secretary of State for Foreign Affairs whether the edict of the Chinese Government banning the introduction into and manufacture and sale within the empire of morphia and hypodermic appliances indicates that the suppression of the use of opium implies recourse to other drugs in place thereof; and whether the Foreign Office is in possession of any information to show that this is the case.

**MR. J. A. PEASE:** The prohibition of the general importation of morphia into China, except on certain conditions, was agreed to by His Majesty's Government in Article XI of the Commercial Treaty between China and Great Britain of 1902. The stipulation contained in that article, that the prohibition should only come into force on all other Treaty Powers agreeing to its conditions, has, however, only recently been fulfilled. The edict has, therefore, no direct connection with the measures adopted for the suppression of the use of opium. Whether the suppression of the use of opium in China, if successfully accomplished, would have to any extent the effect indicated in the Question is a matter on which my right hon. friend cannot express an opinion. It is not implied in the edict.

#### Gun Running in Persia.

**\*MR. REES:** I beg to ask the Secretary of State for Foreign Affairs whether he is aware that several caravans of arms have

passed through Persia to Afghanistan; and whether, since it is impossible for the Government of India to stop this traffic while the Persian route is open, representations have been made to the Shah's Government on the subject.

MR. J. A. PEASE: The Answer to the first part of the Question is in the affirmative. As regards the second part, representations were made at the time to the Persian Government, and His Majesty's Chargé d'Affaires at Teheran reported that the Persian local authorities did their best to comply with the orders sent from the central Government and to check the progress of the caravans. His Majesty's Chargé d'Affaires at Teheran was instructed to make further representations as to the importance attached by His Majesty's Government to the interception of caravans conveying illicit arms from the coast through Persia territory into Afghanistan.

#### Old Age Pensions.

MR. TIMOTHY DAVIES (Fulham): I beg to ask Mr. Chancellor of the

Exchequer if he can state the number of applications received up to date for old age pensions, giving the number claiming 1s., 2s., 3s., 4s., and 5s. respectively.

THE CHANCELLOR OF THE EX-CHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I have called for a Return on this subject, and I hope very shortly to be in possession of the total number of applications received up to date.

#### Revenue for Taxation on Alcohol.

MR. BOTTOMLEY (Hackney, S.): I beg to ask Mr. Chancellor of the Exchequer, whether, as regards the first half of the current financial year, the revenue from the alcoholic group of taxes continues on the downward course indicated by the last Budget statement.

MR. LLOYD-GEORGE: Yes Sir. The following figures show the approximate net receipt for the first six months of the financial years 1907-8 and 1908-9 respectively:—

		Beer Duty.	Spirit Duty.
		£.	£.
1907-8, to 30th September, 1907	- -	6,790,213	8,254,537
1908-9, to 30th September, 1908	- -	6,616,807	7,938,934
Decrease	- -	173,406	315,603

MR. BOTTOMLEY: May I ask the right hon. Gentleman whether, in view of this continued automatic decrease in the consumption of alcoholic liquor, he thinks it worth while further occupying the attention of Parliament with the Licensing Bill?

[No Answer was returned.]

#### Old Age Pension Regulations.\*

MR. STAVELEY-HILL: I beg to ask Mr. Chancellor of the Exchequer whether he will lay upon the Table of the House the instructions issued to pension officers by the Commissioners of Inland Revenue.

MR. LLOYD-GEORGE: The instructions referred to are of a confidential

nature and intended for Departmental use only, and it would not be in accordance with precedent to lay such instructions upon the Table. They have no validity except as directions by the Board of Inland Revenue to their own officers, and it is not, in my opinion, to the interests of the public service that they should be published in any form. It is a matter for regret that reports as to the subject matter of the Instructions in question should have appeared in the Press, but such reports are wholly without authority. The only Instructions to Pension Officers of which Pension Committees or the public generally are required to take any cognizance are those contained in the Second Schedule to the Old Age Pensions Regulations, 1908.

**LORD R. CECIL** (Marylebone, E.): May I ask the right hon. Gentleman whether he is aware that what purports to be a copy of this report has been published in one of the leading London newspapers, and whether in those circumstances he does not think the House of Commons is entitled to authentic information?

**MR. LLOYD-GEORGE**: I do not think these instructions ought to be published. Such instructions are constantly given with regard to every branch of the service. Instructions of this kind are issued by the Board of Inland Revenue on their own responsibility to their officers. They have no validity beyond the fact that they are instructions to officers, and it is a most improper proceeding to communicate them to the Press. I think it would be a mistake and a breach of a very valuable precedent if we published instructions of this character.

**LORD R. CECIL**: These instructions purport to direct the attention of officers to what they are to take into consideration in estimating the means of the claimant. Does not that necessarily mean a modification of the terms of the Act of Parliament, and is not the House entitled to know at any rate what steps the Government are taking to carry out the decision arrived at by this House?

**MR. LLOYD-GEORGE**: The noble Lord has given notice of a Question on that point to-morrow, and I think it would be better to postpone the consideration of the matter till then.

**MR. STAVELEY-HILL**: I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to paragraphs 53 and 54 of the instructions issued by the Commissioners of Inland Revenue to pension officers directing them to retain their reports on claims for pensions until a supervisor shall have had an opportunity of examining them and satisfying himself that the investigation has been properly made and the proper conclusion arrived at, and that such reports are not to be forwarded until initialled by the supervisor, who is directed to forward the reports himself to the clerk of the local pension committee; and whether, in view of the

provisions of the Act which places the responsibility for the performance of these duties solely on the pension officer, and does not recognise the intervention of the supervisor, he will give instructions for the procedure to be modified so as to leave the responsible pension officer full discretion and independence, and enable the machinery of the Act to work with greater smoothness and rapidity.

**MR. LLOYD-GEORGE**: Any instructions which have been given to pension officers by the Board of Inland Revenue are, as I pointed out in reply to the preceding Question, of a confidential character. I may, however, say, to correct misapprehensions which appear to have arisen, that all supervisors of excise have been appointed by the Treasury to be pension officers, and that the supervisor in charge of each district is the pension officer responsible for submitting reports on claims and questions to the pension committee.

**MR. STAVELEY-HILL**: I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to paragraphs 102, 103, and 104 of the instructions to pension officers issued by the Commissioners of Inland Revenue which deal with the subject of lost pension order-books, and direct that a pensioner losing an order-book shall be deprived of his pension pending investigation of the matter by the pension officer, who is directed to issue a new book, if he is satisfied of the loss of the former book, dating only from the next Friday following the date of delivery; and whether, in view of the fact that some time is likely to lapse during the investigation of the loss by the pension officer, he will direct that such instruction be amended by the issue of temporary order forms or in some other way, so that the pensioner shall not be deprived of his pension during the period of investigation before the issue of the new order-book.

**MR. LLOYD-GEORGE**: In cases of lost order-books every effort will be made to issue a new book with as little delay as is consistent with the making of the necessary investigations. I do not think there would be any advantage in adopting the suggestion made in the



Question, since the same investigations would be necessary before "temporary order forms" could be issued. It is not anticipated that cases of lost books will be numerous, and it is not desirable that such loss should be wholly unattended by inconvenience to the pensioner, to whose carelessness it will as a rule be due.

#### **Sugar Duty.**

MR. BOWLES (Lambeth, Norwood): I beg to ask Mr. Chancellor of the Exchequer whether he will state why it is that, as shown on page 15 of the last Report of the Commissioners of Customs, the duty on British refined sugar was levied at an appreciably lower average rate per hundredweight than that on foreign refined sugar; and can he also explain why, as shown on the same page of the Report, the duty on cane and other sorts of unrefined sugar was levied at an average rate per hundredweight considerably less than that on unrefined beet-root sugar.

MR. LLOYD GEORGE: The hon. Member appears to be under a misapprehension in supposing that the duty on sugar is leviable at average rates. The rates, whether in cane or beet, or British or foreign refined, vary according to the degree of polarisation as set out on pages 44 and 45 of the Report referred to. The table at the foot of page 15 of that Report shows merely the aggregate of the quantities of each description of sugar on which duty, at varying rates, was paid during the year, and the amount of duty received.

#### **Inter-Parliamentary Congress.**

MR. FELL (Great Yarmouth): I beg to ask Mr. Chancellor of the Exchequer if he has entered into any engagement on behalf of the Government to assist the Inter-Parliamentary Congress by the payment of £300 a year or any other sum; and, if so, will a Supplementary Estimate be presented, or from what source will the money be provided.

MR. LLOYD GEORGE. Yes, Sir, I have undertaken to propose to Parliament the provision of an annual grant to the Inter-Parliamentary Union of a sum not exceeding £300, on learning that the permanent secretariat of the

Union has been established on a satisfactory basis. I am not aware that any contribution will be required during the present financial year, and I do not therefore anticipate that any Supplementary Estimate will be necessary. I understand that other countries also propose to contribute.

MR. STUART WORTLEY (Sheffield, Hallam): Will steps be taken to ensure that the delegations to this Congress are really representative?

EARL WINTERTON: And will the right hon. Gentleman ascertain what grants are made by other Parliaments, and especially by Germany?

MR. FELL: Do the Government propose to take control in any way over the selection of representatives of this Parliament?

MR. LLOYD GEORGE said he understood that it was open to every Member of Parliament who took an interest in this movement to attend the conferences if he wished, and in that sense, therefore, they were perfectly representative.

#### **Club Registration.**

MR. BOTTOMLEY: I beg to ask the Secretary of State for the Home Department whether he will state the total number of clubs which have been struck off the register under the provisions of the Act of 1902, and how many of these were struck off on the ground that there was frequent drunkenness on the club premises.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. GLADSTONE, Leeds, W.): The number of clubs struck off the registers under the Licensing Act of 1902 are given in the Annual Volumes of Licensing Statistics, and are as follows:—In the year 1903, sixty-seven; in 1904, seventy-three; in 1905, sixty-two; in 1906, forty-one; and in 1907, seventy-eight. As regards the latter part of the Question, I can only repeat the Answer which I gave the hon. Member for the Skipton Division of Yorkshire, to the effect that I do not possess information as to the grounds on which the clubs were struck off, and I regret I do not see my way to obtaining it.



### Metropolitan Police Superintendents.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether there is any intention to appoint military or naval officers to the position of superintendents of the Metropolitan Police.

MR. GLADSTONE: There is no such intention.

### Statistical Abstract.

MR. BOWLES: I beg to ask the President of the Board of Trade if he will state why the Statistical Abstract for the United Kingdom, which, in 1905 was issued in August, and has usually been issued soon after that month in other years, has this year not yet been issued.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Sir H. KEARLEY, Devonport): The issue of the Statistical Abstract for the United Kingdom has been somewhat delayed with a view to the inclusion of certain additional information respecting the expenditure, by local authorities, on account of particular services. The volume is now practically ready for press and it is intended to issue it within the next fortnight.

### Pay of Senior Postmen.

MR. PICKERSGILL: I beg to ask the Postmaster-General whether he has now considered the recommendations of the Select Committee, so far as they affect the class of senior postmen and lobby officers, which he stated on the 17th May last were engaging his attention and in respect of which he promised an early decision; and can he say when payment will be made of the arrears due in consequence of any increase in the scale of pay, which is to take effect from January last.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The scheme of the Parliamentary Committee affecting the class of senior postmen and lobby officers is in course of being completed. The pay of the officers concerned will where necessary be adjusted as from the 1st of January last.

### Vaccination at Twickenham.

MR. LUPTON: I beg to ask the President of the Board of Education if his attention has been called to the action of Dr. Adams, medical inspector of the St. Stephen's School, St. Margaret's Twickenham, who examined the children for vaccination marks and reported the unvaccinated ones to the vaccination officer; if his attention has been called to the action of the school nurse in calling upon the parents with regard to the vaccination of the children; and if he proposes to take any action to prevent the repetition of this conduct.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. RUNCIMAN, Dewsbury): My attention has been called to this matter and I have made inquiry into the circumstances of the case, which is receiving my consideration. The Board have never suggested to local education authorities that they should, as part of the work of medical inspection under the Act of 1907, inquire whether school children have or have not been vaccinated. If inquiries are made on this point by any local education authority, the information obtained should be regarded as strictly confidential as between the local education authority and the parents of the children concerned, and as confidential ought not to be communicated to the vaccination officer or public vaccinator. I may add that I strongly deprecate any attempt on the part of local authorities to use the machinery of medical inspection for the purpose of enforcing vaccination. Such action is likely to discredit medical inspection in the eyes of many parents who would otherwise be glad to take advantage of it.

### Government Education Bill.

MR. BLACK (Bedfordshire, Biggleswade): I beg to ask the President of the Board of Education on what date he proposes to proceed with the Committee stage of the Elementary Education (England and Wales) Bill.

MR. RUNCIMAN: I am not in a position to make any statement.

### Mr. Thorne, M.P., and the Unemployed.

LORD R. CECIL (Marylebone, E.): I beg to ask Mr. Attorney-General whether

his attention has been called to the language used by the hon. Member for South West Ham, to the effect that if those he was addressing wanted to rush anything, they should rush every bakers' shop they could see; and whether he intends to advise that any legal proceedings should be taken against the hon. Member in respect of his words.

**THE ATTORNEY-GENERAL** (Sir W. ROBSON, South Shields): This matter appears to me at present to be one for the police, and I think the noble Lord will scarcely expect me to say what legal proceedings ought to be taken until my advice is asked.

**MR. MOORE** (Armagh, N.) inquired whether it would be within the province of the Home Secretary to bring the matter before the right hon. and learned Gentleman.

**LORD R. CECIL** asked whether the matter was one which was engaging the attention of the Government.

**SIR W. ROBSON**: I have no doubt the matter is one which is engaging the attention of the police.

**MR. CLYNES** (Manchester, N.E.) inquired whether the Attorney-General had any information relating to the numerous instances of incitement to crime on the part of the political associates of the noble Lord, and whether he had any information as to the noble Lord ever having repudiated these incitements.

**MR. SPEAKER**: The hon. Member should give notice of that Question.

#### **Sasine Office, Edinburgh.**

**MR. YOUNGER** (Ayr Burghs): I beg to ask the Secretary for Scotland whether a scheme of compulsory life insurance has been made a condition of employment in all future appointments of engrossing clerks in the Sasine Office in Edinburgh; if so, whether he can state the particulars of the scheme; and whether such clerks will be free to select the company in which they prefer to insure.

**THE SECRETARY FOR SCOTLAND** (Mr. SINCLAIR, Forfarshire): The

Answer is in the affirmative. I shall be happy to furnish the hon. Member with particulars of the scheme of assurance which has been arranged.

**MR. YOUNGER**: Will the right hon. Gentleman answer the last part of the Question?

**MR. SINCLAIR**: I have said I shall be glad to furnish particulars.

#### **Grants to Irish Teachers.**

**MR. BARRIE** (Londonderry, N.): I beg to ask the Secretary to the Treasury whether the sum of £114,000 passed on 28th July last for bonuses and capitation grants to Irish teachers for the year ending 31st March last was still unpaid to them at a recent date, and will he say what has caused this delay; and whether he will arrange that in future these grants will be paid more promptly.

**MR. LONSDALE** (Armagh, Mid.): May I also ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the grant of £114,000, voted for the augmentation of the salaries of national school teachers for the year ended 31st March 1908, has been paid by the Treasury.

**MR. MACCAW** (Down, W.): And may I too ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any, and, if so, what, portion of the revised Supplementary Estimate of £114,000 for bonuses and capitation grants for Irish teachers, passed under closure on the 28th July last, has yet been paid to the teachers, and if such payment has been made, for what period.

**THE CHIEF SECRETARY FOR IRELAND** (Mr. BIRRELL, Bristol, N.): The grant in question has been made available by the Treasury, and the Commissioners of National Education are making arrangements for its distribution among the teachers, which, it is anticipated, will take place about the 23rd instant. Some delay has necessarily taken place in making arrangements for the distribution of the first issue of this grant, but it is proposed in future years to pay the grant in April, immediately after the conclusion of the financial year.

### **Irish Land Stock Flotation.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Government has yet formulated any plan for avoiding or minimising loss on flotation of Irish Land Stock and for expediting the operation of the Land Act of 1903; and, if so, when he proposes to lay the same before the House.

MR. BIRRELL: The matter is receiving the careful consideration of the Government, but though I am not yet in a position to make any statement on the subject, I hope to be able to do so shortly.

### **Clare Cattle-drives.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the 6th September, Mr. H. V. Macnamara, of Ennistymon House, County Clare, sent warning to Dublin Castle that cattle-drives were contemplated upon his Doolin property; why no preventive measures were taken upon that intimation; whether cattle-drives took place on the 9th, 12th, 19th, and 22nd of September, in which cattle were treated with great cruelty; whether he is aware that these proceedings were instigated by the United Irish League; and whether he intends to take proceedings against the persons who instigated and organised these disorderly occurrences.

MR. BIRRELL: I received from Mr. Macnamara a letter dated 6th September, complaining of a meeting of the United Irish League on the preceding Sunday, but making no reference to cattle-driving. It is the fact that cattle-drives took place on the dates mentioned in the Question. As regards the alleged cruelty to the cattle, I am informed that claims for compensation for injury to the cattle are pending, and it would, therefore, be undesirable to make any statement which would prejudice the matter. I have no information that these cattle-drives were instigated or organised by the United Irish League. Forty-four persons were proceeded against for taking part in the cattle-drives, and of these one gave bail to keep the peace, and forty-three were sent to prison in default of bail. The police force of County Clare has been largely increased with the object of

dealing with these agrarian disturbances, and fifty of the extra force are quartered in a house rented from Mr. Macnamara in the neighbourhood of his property.

### **Outrages in Clare.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the 13th September a farmer named Casey was fired at near Ruan; that on the 15th September there was an attempt to shoot Mr. James Griffin, J.P., at Kinlea; that on the 30th September an attack with firearms was made upon the residence of Mrs. Greathead at Lough George; that on the 5th October the house of a farmer named Cahir, near Ennis, was fired into; and whether, in view of these and other similar outrages, and the increase in the use of firearms in agrarian disturbances, he proposes to take any measures to check this evil.

MR. BIRRELL: The facts are as stated in the Question, save for slight discrepancies as to dates. The police force of County Clare has been largely augmented, and all possible measures are being taken for the prevention and detection of offences. The persons concerned are receiving all necessary protection.

### **Crime Returns for Irish Judges.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the remarks of Judge Curran at the Birr quarter sessions on 7th October, and to his complaint that by direction of the Government a Judge of Assize and Chairmen of Quarter Sessions are not now allowed to be informed as to the state of the county as formerly; and whether it is intended to continue this course.

MR. BIRRELL: My attention has been called to a newspaper report of the remarks referred to. I would refer the hon. Member to my reply to a Question put by the hon. and gallant Member for East Down on 22nd July, from which it will be seen that the Returns furnished to Judges of Assize are prepared in accordance with the forms approved by the Lord Chief Justice of Ireland in 1904. It has not been the practice to furnish County Court

Judges with those Returns, but, for some reason of which I am not aware, an exception has been made in the case of Judge Curran. The Returns supplied to him are in the same form as those furnished to Judges of assize.

#### **Dairy Regulations in Ireland.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that opposition has been shown in the rural parts of Ireland to the general Order of the Local Government Board for Ireland (No. 24 M/1908) with respect to dairies, cowsheds and milkshops; that this feeling is largely due to the discrimination made between farmers and cowkeepers who sell milk to creameries for manufacture into butter and those who make their own milk into butter; and whether it is intended to recall this order and apply the regulations equally to all classes of dairy farmers in Ireland.

MR. BIRRELL: The Order in question applies equally to all persons engaged in the public supply of milk. Its object is to prevent the spread of disease by means of the milk supply, and therefore it deals only with persons engaged in such supply, as contemplated by the Act under which the Order was made. I am aware that some opposition to the Order has been shown, but its provisions are very necessary in the interests of the public health, and it is not intended to withdraw it.

#### **Knocknagown Outrage.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at Knocknagown, County Kerry, a rural postman was, on 5th October, robbed by an armed man of registered letters supposed to contain civil bill processes; and whether any arrest has been made in connection with this occurrence.

MR. BIRRELL: I am informed that the fact is as stated in the Question. The postman, who reported the matter to the police, stated that he was unable to identify his assailant, and therefore no arrest has been possible.

#### **Ireland and the Nurses Registration Bill.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant

of Ireland whether he has received representations that the proposal to postpone the application to Ireland of the provisions of the Nurses Registration Bill will inflict injury upon Irish nurses and training institutions in Ireland; and whether, in view of these considerations, he will move the Irish Local Government Board to make an effort to surmount the administrative obstacles which have led them to oppose the application of this measure to Ireland.

MR. BIRRELL: The Government have placed upon the Paper Amendments providing for the immediate application to Ireland of the Nurses Registration Bill.

#### **Intermediate Education Ireland.**

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received representations that Rule 14 (b) in the rules of Examinations for 1909, made by the Intermediate Education Board for Ireland, will be detrimental to the interests of education and will deprive many youths of a chance of obtaining an exhibition; whether this rule has been made solely from motives of economy; whether he will bring the matter to the notice of the Intermediate Education Board with a view to its being reconsidered; and whether he proposes to afford the House any opportunity of discussing the matter.

MR. BIRRELL: The question whether the operation of the rule referred to should be postponed until after the next examination, is at present before the Intermediate Education Board, and will come up for further consideration at their next meeting.

MR. LONSDALE: Is the right hon. Gentleman aware that the headmasters in Ireland object very strongly to this rule on educational grounds, and he states that they are willing to forego their fees on the second course if the prohibition is withdrawn.

\*MR. BIRRELL: There are two questions involved, the merits of the rule and the equity of giving notice. The general feeling is that notice should have been given.

MR. BOLAND (Kerry, S.): Is the right hon. Gentleman aware that the



rules for the coming year were only circulated last August.

MR. BIRRELL: Yes, Sir.

#### Catholic Disabilities.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Prime Minister whether his attention has been called to the terms of the Catholic Disabilities Removal Bill which was introduced by the hon. Member for Kilkenny in several successive years on behalf of the Irish Party; and whether he is prepared to offer facilities for the carrying into law of this Bill, or will the Government introduce a Bill to the same purpose.

LORD EDMUND TALBOT (Sussex, Chichester): I beg also to ask the Prime Minister whether the Government will on an early date introduce legislation repealing such statutory enactments affecting Roman Catholics as place them in a disadvantageous and inferior position compared with other religious bodies in the country.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): My attention had not previously been called to the Bill referred to. The Government have no present intention of introducing legislation in this matter, and as I announced before the recess they cannot give facilities to any measure which is not of a wholly non-controversial character. They will be prepared to give full consideration to any proposals to relieve Roman Catholics, or any other religious denomination from legal disabilities which give rise to practical grievance.

MR. WILLIAM REDMOND asked the right hon. Gentleman whether, in view of the very strong feeling upon this subject, he could not see his way to grant facilities for legislation proposed by private Members; and whether it was not a fact that in 1891 the late Mr. Gladstone himself introduced a measure for the purpose of relieving Catholics of certain disabilities; whether that measure was not eloquently supported by the present Prime Minister and the whole Liberal Party, and only failed to become law because it was unitedly and strenuously opposed by the Conservative Party then in power.

MR. ASQUITH: I think the Bill to which the hon. Member refers was one to remove the disability of the Lord-Lieutenant and also of the Lord Chancellor. I strongly supported that Bill, and should do so again. But I cannot promise more at present than to give full consideration to any proposal brought forward.

MR. WILLIAM REDMOND said that in consequence of the unsatisfactory nature of the Answer, he would himself reintroduce the Bill, which had been before the House for many years. He added that it was generally expected that the Government would give facilities.

LORD EDMUND TALBOT: Arising out of the very unsatisfactory reply of the right hon. Gentleman, may I ask the Prime Minister whether he will give a day to discuss the conduct of the Government in regard to the action they took with reference to the recent intended procession.

MR. ASQUITH: No, Sir, certainly not, unless the Leader of the Opposition desires it.

MR. MOORE: Will the right hon. Gentleman make inquiries into the disabilities that Protestants suffer from Roman Catholic Spain?

MR. WILLIAM REDMOND invited the right hon. Gentleman to be good enough to bear in mind the very strong feeling which had been aroused over this question, for the disability which Catholics suffered was regarded by a great number of the population as little short of a disgrace to the name of civilisation.

#### The Government and the Unemployed.

MR. ARTHUR HENDERSON (Durham, Barnard Castle): I beg to ask the Prime Minister whether, in view of the amount of suffering caused by the present state of unemployment, he can state when the Government will be in a position to inform the House what it proposes to do to alleviate the distress, and when a day can be given to discuss the subject.

MR. ASQUITH: I am not as yet in a position to make any statement; but I hope to be able to do so next week.



MR. ARTHUR HENDERSON : Can not the right hon. Gentleman give me a little more definite assurance, seeing that this question is becoming most acute. I had hoped for an assurance that we should have a statement by Monday.

MR. ASQUITH : I cannot say more than I have. I am quite as much alive as the hon. Gentleman to the importance of the question. That is all the more reason for careful deliberation.

MR. KEIR HARDIE asked the right hon. Gentleman whether he would give the House time to discuss his statement on the same day.

MR. ASQUITH : No, Sir ; I shall make my statement in answer to a Question in the ordinary way.

MR. ARTHUR HENDERSON said he had asked for a day to discuss the proposals.

MR. ASQUITH : I think the hon. Gentleman had better wait to hear what my statement is. I am not at all without hope that it may satisfy him without the necessity of a discussion. If not, we may be able to meet his natural wish.

MR. CURRAN (Durham, Jarrow) : Considering the urgency of the matter, cannot the right hon. Gentleman make his statement this week ?

MR. ASQUITH : No, Sir ; I cannot.

#### Irish Land Act Finance.

MR. BARRIE (Londonderry, N.) : I beg to ask the Prime Minister when he now proposes to make his promised statement *re* the finances of The Irish Land Act, 1903.

MR. ASQUITH : The matter is well advanced, and I hope a statement will be made very soon. I cannot as yet fix the exact date.

MR. BARRIE : In view of the increasing urgency of this matter may we hope for the statement next week ?

MR. ASQUITH : I hope so, but I cannot say definitely.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) : Will the statement be made in a form which will admit of discussion ?

MR. ASQUITH : When the time comes we will try and provide opportunities.

#### English Land Valuation Bill.

MR. WEDGWOOD : I beg to ask the Prime Minister when it is intended to introduce the Land Valuation Bill for England.

MR. ASQUITH : After full consideration the Government have come to the conclusion that as no effective progress could be made with the Bill this year, it will be better to postpone its introduction until next session.

MR. WEDGWOOD reminded the right hon. Gentleman that several promises were given before the holidays that this Bill should be dealt with this session. What was the reason for the altered decision ?

MR. ASQUITH replied that one was the regrettable indisposition of the President of the Local Government Board, which lasted for over a month.

#### [WOMEN IN THE LOBBY.

\*MR. HAMAR GREENWOOD (York) : I rise, Sir, to call attention to a matter involving the privileges of Members of this House, and to ask you—and I hope that my request will be supported by hon. Members—to take steps to exclude all women absolutely from the inner, or Members' lobby of this House, during its sittings. In support of this request may I state briefly that I make it without any consideration whatever of the questions of franchise or of any recent incidents. There has been an increasing difficulty in the Members' lobby because of these visitors, and during the months of June and July it became almost impossible for hon. Members to enter or to leave the Chamber by the inner door. In addition I would remind the House, some hon. Members of which seem to have more regard for feminine approval than for the dignity of this great Chamber, that as things are at present

there is placed on the admirable and efficient staff of attendants and police a burden which is unreasonable, ungenerous and unfair. Further, as we saw yesterday, the elementary rules of courtesy were violated in a way that I had hoped was restricted to pagan tribes in remote parts of the world. I think, therefore, that the time has come when the House in its own interest as a serious institution—and I am one of those who think that the House is a serious institution—should take the steps that I suggest. I make the suggestion on my own responsibility and with the sole object of maintaining the dignity of this Assembly.

\*MR. SPEAKER: In reply to the hon. Member, I have to say that I believe ever since the House was built—certainly for a great number of years—the privilege has been accorded to ladies of visiting the Members' lobby. There was a time, now a good many years ago, when the privilege was not very much used. Of late years, however, the privilege has been very much more largely used, especially, I think, during this Parliament. I should hesitate of my own accord to withdraw the privilege, unless I were assured that I had the general sense of the House behind me in doing so. Therefore, for the present, I do not think that I should be right in issuing the order which the hon. Member suggests. At the same time, I have taken upon myself, in consequence of what occurred yesterday, to issue an order that no ladies are to be brought past the doorkeepers. I have been reluctantly compelled to do this; but in order to protect the position and the dignity of the House, after what occurred yesterday, it would be necessary largely to increase the staff of doorkeepers, which I think the House would consider to be very undesirable.

#### LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 2:

EARL WINTERTON (Sussex, Horsa-ham) moved the omission of subsection (1).

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He said he did so not only because he believed that local option, or local veto, as he preferred to call it, was bad in principle and had always proved a disastrous and doleful failure, but also because its introduction in that clause was out of place, having regard to the fact that the Bill was already overloaded with very controversial matter of an entirely different kind. He was unable to trace any real connection between the main or avowed principle of the Bill and this subsection dealing with local option. The Bill dealt with the reduction of public-houses on an organised plan and the putting of further financial burdens upon the trade, and while it was not in order to discuss that point, it in itself was of great importance and of a far-reaching character, and therefore the question of local option was quite out of place. Looking at the Bill, one was struck by the fact that it appeared to have two authors. On the one hand, the Government seemed to have been the authors of that part of the Bill designed for the robbing of the hen-roosts, and the other part seemed distinctly to be due to the authorship of the right hon. Gentleman the Member for Spen Valley and his temperance friends, who, like bulls in a china shop, had been attempting to crash into everything connected with the trade. On the question of principle, however, it was quite as important that the Committee should pause before they passed this subsection. It was a principle which had never before been adopted in any Act which had been passed by that House. It had never before been possible for a small clique or knot of residents in any locality to forbid a perfectly legitimate trade being carried on in that locality, and the seriousness of the principle was one which could not be over-estimated. If carried to its logical conclusion it might mean that eventually a few fanatics would be able to prevent all sorts of legitimate trades being carried on in a locality. It was not a bit more absurd than the proposal in this Bill to imagine a case in years to come in which vegetarians might combine and prohibit all butchers' shops in a certain locality. That was on all fours with the proposal in this clause, and it might be carried further in a great many other cases. For instance, if the hon. Member

for Sleaford and his friends ever became popular and powerful in the country, they could prohibit vaccination in a certain area. If this principle were adopted, there was no knowing to what extent it might not be carried in the future, and he would remind the Committee that it was a principle which had always been unpopular. He did not propose to go into the whole question of cases where local veto had been tried in other countries, but he would respectfully challenge the Prime Minister to give any instances of cases in other countries where it had been a success. There were isolated instances all over the world where it had been tried, but in nine cases out of ten it had been found to be a disastrous and doleful failure—in such cases, for instance, as Canada, New Zealand and Australia. A point which had never been answered by the Government was how they were going, if they adopted the local option suggested in this section, to get over the difficulty of the scandal which had invariably ensued when there were great restrictions upon the licensing trade in one locality while just over the border no such restrictions existed. Everybody who knew the cases in the past, where restrictions had been put on the licensing trade on Sundays in certain parts of England, knew that in the neighbouring districts terrible scandals had ensued, and the temperance party themselves had put that point to the Government, and it had never been answered. Perhaps, of all the reasons which could be urged against the adoption of this subsection, the best was its exceedingly undemocratic character. The Government proposed to allow people to decide whether there should be no public-houses, but they did not propose to allow them to decide whether there should be more public-houses. That was a point on which he thought everyone on that side of the House joined issue with the Government. It was one of the most extraordinary and undemocratic proposals ever put in a Bill by a so-called democratic Government, and the case was very well given away by a certain Mr. Malins, an official of the Temperance Federation, writing in the *Morning Leader* about a year ago. He was challenged in the *Manchester*

*Earl Winterton.*

*Guardian*, and was told that if local option was to be a really democratic measure it should be allowed for the people to decide whether they would have more public-houses as well as less, and Mr. Malins answered that no Anglo-Saxon Government would dare to put the liquor traffic on that basis. That was the Government's idea of democracy, and of trusting the people. But Mr. Malins was wrong, because two Anglo-Saxon Governments—those of South Australia and New South Wales, he believed—had put the liquor traffic on that basis. In other words, they had given real local option. The Government did not do it, he imagined, because Mr. Malins was expressing their views when he said that no Anglo-Saxon Government would dare to put the liquor traffic on such a basis. The whole policy of the Government was a policy of distrusting the people, tempered by hypocrisy. He challenged the Prime Minister to say what precedents there were for saying that local option would be a success, and, secondly, why the Government had refused to trust the people and allow them if they wished to vote for more public-houses as well as for less. He appealed to the Committee to consider twice before they passed this subsection, because he was convinced that they would be passing a very dangerous principle, which, if carried to its logical conclusion, would make life in this country absolutely intolerable. If they carried this principle in the Bill they would be laying the foundations of a most dangerous state of affairs, and they would eventually put the whole of the local government of England from this House into the hands of small cliques and knots of fanatics in particular residential districts. He begged to move the omission of the subsection.

Amendment proposed—

“ In page 2, line 8, to leave out subsection (1).”—(*Earl Winterton.*)

Question proposed, “ That the words ‘ if ’ stand part of the clause.”

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifeshire, E.) said he was no

going into some of the questions raised by the noble Lord in his interesting speech, because he thought he had failed to observe—at least he did not detect in any part of his speech that he had recognised—that the proposal embodied in Clause 2, so far as the next fourteen years were concerned, did not deal with existing licences at all. It dealt entirely with new licences, and it simply proposed to give the inhabitants of a district the right to say in a manner which could not possibly come into collision with any vested or existing interest whether or not either the existing supply of public-houses should be increased, or, if there were no public-houses there, whether one should be imported for the first time into their midst. That was a right which had often been exercised. The Government saw no reason why it should not be vested in the majority of the inhabitants, who were the persons primarily affected. If the noble Lord's Amendment were passed and this power were taken away, the matter would be left, as it was now, entirely in the discretion of the licensing justices. He quite agreed that when they were dealing with existing licences it was a power the use of which should be very carefully safeguarded, but when it was a question of simply a multiplication of what already existed, or the inclusion of something which was not already there, and which the majority of the people did not want to see, he confessed he was wholly at a loss to understand why the noble Lord should say it was an undemocratic measure. The Government could not accept the Amendment.

MR. JAMES HOPE (Sheffield, Central) said he could not help thinking that the Prime Minister had overlooked the answer to a Question put by the hon. Member for Westmoreland on this very clause. It was true that anyone reading the clause for the first time would naturally come to the conclusion that none but new licences, in the ordinary sense of the word, were affected. If that were the meaning of the clause it would not go very far, because during the reduction period, in consequence of what had been done in Clause 1, no new licence would be possible, unless the number of licences in a district were below the proper pro-

portion for the area. He supposed it must have struck the hon. Member for Westmoreland that that was not very strong or satisfactory. But they must read the first section of Clause 3, which ran as follows:—

"After the termination of the reduction period compensation shall cease to be payable . . . and an application for the re-grant of any on-licence shall be treated as an application for the grant of a new licence, not as an application for the renewal of a licence."

If they read those two subsections together the result would be that after the termination of the reduction period all licences, although they might have been continually renewed for many years, would be treated as new licences, and therefore the local veto would come into operation, and it would then be in the power of a bare majority of those voting at a poll in a very narrow area absolutely and completely to prohibit all licences within their district.

\*THE CHAIRMAN said he did not think the question of what would happen under Clause 3 arose here.

MR. A. J. BALFOUR (City of London) said it was very important that they should know precisely what, in the judgment of the Chair, they were to discuss now. As he understood it, the clause they were now discussing would practically make local option a universal rule with regard to every licence in the country at the end of fourteen years, and therefore the whole question of local option or local veto came in its fullest sense. Therefore, it would seem that this was a very appropriate place at which to discuss the general policy involved in that question.

MR. ASQUITH said that if Clause 3 were omitted from the Bill it was obvious that Clause 2 would only deal with new licences, i.e., licences not now in existence.

MR. JAMES CAMPBELL (Dublin University) said the Prime Minister entirely omitted the real point of the section. The question was: What was a new licence? The Prime Minister rather suggested that it applied only to applications made for the first time, but if Clause 3 of the Bill were passed, a new



licence got a wholly different signification, which would attach to the second clause in the Bill. Therefore he submitted that when they were discussing Clause 2 they must assume that a new licence there would bear the meaning that the Bill proposed to give it, and discuss it on that basis; otherwise, they were discussing it entirely in the dark.

MR. JAMES HOPE said the question of the hon. Member for Westmoreland was with reference to Clause 2. He asked distinctly whether all licences would not come under the provisions of Clause 2, and the Under-Secretary for the Home Department said "Yes."

MR. LEIF JONES (Westmoreland, Appleby) said his question related entirely to the interpretation to be placed on Clause 3.

\*THE CHAIRMAN said he did not want to give a ruling not in accordance with the justice of the case, but he had considered the points put to him, and it seemed to him perfectly clear that unless Clause 3 was passed, Clause 2 would not apply, and that being the case, he thought the time when that point should be discussed, *i.e.*, the application of the prohibition as to new licences being made to old licences as well, would be on Clause 3.

MR. A. J. BALFOUR said that, supposing the definition intended by the Government of a new licence was not contained in Clause 3, but in the Schedule to the Bill, surely it would be very inconvenient to defer the discussion until they got to the Schedule. They had to consider the meaning of a new licence. As the Government had framed their Bill, undoubtedly a new licence meant not only a new licence, but every licence in existence at the termination of the fourteen years. He would ask whether that consideration had been present in the Chairman's mind in giving his decision.

\*THE CHAIRMAN: That consideration was present to my mind. I am very anxious to meet the wishes of the Committee, but it does seem to me that this clause is meant to apply to the granting of new on-licences at the

*Mr. James Campbell,*

present time, and that the other question ought to come up on Clause 3.

MR. A. J. BALFOUR: If you have considered that, it is not for me to make any further comment on your decision. But as a matter of convenience may I ask whether it is not a fact that on Clause 3 there must arise the whole question of the time-limit, one of the biggest questions involved in the Bill, a question which has excited the deepest feeling throughout the country, and whether it would not be of enormous convenience, as we are working under a compartment Resolution, if so big a question as local option could be discussed on a separate day from that allotted to the tremendous and all-important question of the time-limit.

\*THE CHAIRMAN: I would like to ask the opinion of the Prime Minister, before settling that question, whether the wording of Clause 3—"an application for the re-grant of any on-licence shall be treated as an application for the grant of a new licence"—does not raise the whole question which is sought to be brought in on Clause 2. I think it ought to be dealt with on Clause 3. In regard to the question of the right hon. Gentleman himself I am not responsible for the Resolution under which we are working. I have to do the best I can under it.

MR. CAVE (Surrey, Kingston) asked whether under the Chairman's ruling the whole series of Amendments which sought to confine the operation of Clause 2 to the reduction period would be in order.

\*THE CHAIRMAN: Speaking off-hand, I think they will be in order.

MR. GEORGE ROBERTS (Norwich): On a point of order, may I ask whether subsection 2 of Clause 2 is not specially allocated to the first half of the sixth allotted day?

\*THE CHAIRMAN: That is not a point of order.

\*MR. SHERWELL (Huddersfield): On a point of order I desire to ask whether it will be in order under your



raling to call attention to the inconsistency of Clause 2 as it now stands with the frame-work of Clause 3?

\*THE CHAIRMAN: I must hear the point put. I cannot deal with a general question of that kind.

\*MR. JAMES HOPE, resuming his speech, said that in any case the clause affirmed the principle of local veto. This question of local veto was very old. It dated as far back as 1864, but whenever it had been brought forward it had met with very little support in the House, and less in the country. When the Licensing Commission brought in their Report, neither the majority nor the minority supported the proposal. A good many years had passed since that Report was issued, and he held that in every direction what had happened since that date had diminished rather than strengthened the case for local veto. The Report from the United States in regard to local veto, which he thought he saw in the hands of the right hon. Member for Spen Valley, undoubtedly stated that local veto might be carried out in districts where the population was sparse, but that where there was a congestion of population the system entirely broke down, and that necessarily, if only from the enormous difficulties involved in what was known as the boundary question. Some hon. Members opposite had become pretty sensible of it in connection with Sunday closing. Speaking on behalf of a deputation to the Prime Minister, then Chancellor of the Exchequer, on 13th December, 1907, Sir Thomas Whittaker—

“pressed the desirability and, indeed, necessity of making legislation on Sunday closing of national application, and not leaving it to localities to decide for themselves. Mr. Asquith asked the deputation why it should not be left to localities, to which Sir Thomas Whittaker replied: ‘Because the difficulty of drawing a border-line was enormous. If they were to have opening in one locality and closing in another, it would lead to deplorable results, as had been the case in Cardiff.’”

A large deputation, accompanied by Members of Parliament, waited last year on the Home Secretary and urged the same facts. In their Memorial they stated that—

“Local option would be unworkable and impracticable. It would multiply, in hundreds

of cases and places, the border difficulty. It would increase, and in many districts hitherto free actually create, the nuisance and evil of travelling for drink which at present is one of the abuses most needing to be remedied. This would mean undoubtedly an increase in public drunkenness.”

He thought that that was where fundamentally any proposal of local veto must necessarily break down; it would be applied where least wanted, as for instance in residential districts, but it would not be applied in poorer districts where there was a large number of public-houses. The strongest case would be found in the West End of London, where there were a few public-houses which undoubtedly served a certain class of the population, such as servants and early carriers of provisions and vegetables. If there was a vote taken on the question of local veto in such a district, no doubt a great majority of the well-to-do residents who could obtain what liquor they wanted in their own houses, would either not vote at all, or vote for ‘prohibition. There were many men who had been disturbed by a street noise when drinking their last drop of whisky before going to bed, who in their selfishness would gladly get rid of the public-house at the corner, although that house served their poor neighbours in the same district, who would be undoubtedly driven over the border into another district where they could get a supply of liquor. He protested against any serious social question like this becoming the sport of caprice at popular elections. The issues were far too grave and the result should not be dependent on one local election or another. He was quite certain that if this proposal was once adopted it would lead to such a storm of popular discontent and confusion, that practical temperance proposals would suffer. It was on these grounds that he supported the Amendment of the noble Lord.

\*MR. TOMKINSON (Cheshire, Crewe) said he had listened with very considerable surprise to the speech of the hon. Member, who, as he understood, owned a large property in a county not very far from London and in respect of that property possessed an absolute power of veto, the power to prevent a single house for the sale of intoxicating liquor to be

as altered, they enabled a bare majority of any licensing district, composed, as no doubt it would be, of persons who had no use whatever for any public-house, to close the whole of the remaining houses, 60,000 in number, in the Kingdom, without a penny of compensation, and without any substantial notice to the holder of the licence. He did not think any such proposal had ever yet been made—certainly not by any Government—and he could not believe until he was assured of it that the Government meant that, but unless the clause was altered, that was the real effect of the Bill.

**Amendment proposed—**

“In page 2, line 8, to leave out from the word ‘If,’ to the word ‘a,’ in line 9, and to insert the words ‘during the reduction period.’”  
—(*Mr. Cave.*)

Question proposed, “That the words proposed to be left out stand part of the clause.”

MR. ASQUITH said that, in view of the ruling which the Chairman had given, it appeared to him that the Amendment did not raise the point which the hon. and learned Gentleman wished to raise. The question did not arise until Clause 3, where they were to give to the term “new licence” in Clause 2 an extension of meaning which in itself the term did not convey, and which was only imported into it after they had assented to Clause 3 in some form or other. If he was right in that contention, the simple effect of carrying the Amendment would be that the local option provision of the clause would not apply to new licences in the old sense of the term—after the expiration of the reduction period. The hon. and learned Gentleman did not want that. Nobody wanted that. The point that the hon. and learned Gentleman wanted to raise was whether at the expiration of the reduction period the local option provisions of Clause 2 should apply to existing licences after the reduction had taken place. That was a question which could only be discussed on Clause 3, which was not relevant to Clause 2 at all, and was not even raised by the Amendment. The Amendment simply raised the question whether new licences

*Mr. Cave.*

in the strict, old, proper sense of the term should or should not be subject after the fourteen years to the operation of what was called local veto. He was very sorry he had unwittingly enlarged the area of the debate. He would have done better to have held his tongue, but he thought it was for the convenience of Members on both sides that he should indicate that the Government would make it perfectly clear by express terms that it had never been their intention that a bare majority should decide the question of the continuance of these existing licences after the expiration of the reduction period. They would be subject to the local option provisions. They would be new licences in the full sense of the term, so that the local veto on the proper requisition could be taken. But they never intended, and he believed no responsible statesman had ever proposed, an operation of that kind in regard to existing licences by a bare majority. The Amendment to Clause 2 would appear on the Paper to-morrow, and as the discussion of that subsection did not come on until Monday, there would be ample time to consider whether the language they put down in fact carried out their intentions.

MR. A. J. BALFOUR expressed great regret that the right hon. Gentleman after the opportunity for meditation in the holidays, was not going to put down the Amendment making Clause 2 clear until to-morrow. It was perfectly true that every Minister in charge of the Bill must, in the face of discussion and criticism, make modifications in the Bill, and put down Amendments carrying out those modifications. As he understood, he was only going to put down an Amendment which made clear what had always been the intention of the Government, and it was rather hard that what the Government always intended should only be told to the country two or three days before it came on for discussion. This was not a conclusion forced upon the Government by adverse criticism. It was the original intention, and why on earth the Government could not make the original intention clear in their original draft the right hon. Gentlemen had explained. The speech he had just

would be overridden by a minority in the county. Let the Prime Minister apply this principle all round. But the right hon. Gentleman did not intend to apply it to one case in a thousand which came before the House; and, therefore, the sooner they got rid of the confusion which might be created by the right hon. Gentleman's statement that they were acting in opposition to a democratic principle the better. They were really protesting on behalf of what they believed to be the freedom and liberties of the people of this country.

\*MR. CAVE said he found it difficult to discuss either the clause or some of the Amendments without knowing what the Bill meant as a whole. He wished to discuss whether it was expedient that all existing licences should become new licences after fourteen years. If the clause meant only that no new licences, in the sense in which they now understood the term—that was to say, additional licences—should be granted after the passing of a prohibitory Resolution, it was really a small matter, because, as his noble friend had pointed out, there was already a prohibition in Clause 1 against granting those licences in excess of the scale. He appealed to the Government to say whether he was right in thinking that the effect of the clause would be that, after fourteen years, all existing licences could be suppressed by local veto. If that were so, the clause was open to objections which could not be stated too strongly, because, reading the two clauses together, they meant that, after fourteen years, the surviving licences, which would be presumably those most wanted and those which had paid the most money, might be wiped out by a bare majority of the inhabitants of the locality. There was some ambiguity in the Bill, and surely the Committee was entitled to know what was the meaning of the Government, and whether when they came to Clause 3, they were going to put in some provision that existing licences in their sense would not be affected by Clause 2. He hoped some response would be made to that appeal, as he found it difficult to give his opinion on the clause without having an answer to it. In the meantime, if they obtained an answer he should certainly vote against

the clause, as he understood it, as introducing local veto with regard to existing as well as future licences.

MR. ASQUITH said the speech of the hon. and learned Gentleman, which was courteous, fair, and reasonable, illustrated the imprudence and inconvenience of discussing on Clause 2 anything more than Clause 2 itself. Clause 2 was confined to new licences, and all its provisions were confined to that, and it was not until they came to Clause 3 that Clause 2 had any effect upon existing licences. If he were, in response to his hon. friend's courteous appeal—and he must say something—to go into matters of detail as to what the Government would do when they reached the next clause, he would open the floodgates of discussion and upset the whole of the Resolution giving time for the discussion of the clauses, and debar the Committee from devoting the time allocated to Clause 2, in which there were important and practical considerations. As to the majority by which local option was to be voted, and the area within which it was to be voted, he would say at once—and he appealed to the House not to take advantage of it and widen the area of discussion—that when they came to Clause 3, the second subsection, he should certainly make it clear that it was not the intention of the Government that after the expiration of the fourteen years the existing licences should be got rid of by a bare majority, and in no Local Option Bill that he had ever known, dealing with existing licences put forward by a responsible Minister, had any such intention been expressed. To that extent he might reassure his hon. friend, but he deprecated discussion as to the effect of Clause 3 until that clause came before the House.

MR. A. J. BALFOUR said his hon. friend appealed to the Government to make clear the scheme which they proposed in relation to Clause 2 and Clause 3, and he might be peculiarly unfortunate or peculiarly slow of apprehension, but he really was left in an absolute fog as to what the Government's intention was. He did not believe that any hon. Gentlemen on the Ministerial side had the smallest idea of what

they should have some assurance that such a contingency should not arise.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) suggested that, in view of what the Prime Minister had said, the hon. Member would not only be fully justified in but fully desirous of moving his Amendment. Nothing could be clearer than that what was meant was that all licences were to go, and what the Government contemplated was merely a change of machinery. The answer given by the Prime Minister made it all the more necessary and important, as the Leader of the Opposition had said, that they should press the Amendment, because they were in ignorance of the real intention of the Government and of their policy. Personally, he had very little doubt as to the real meaning of that policy. The whole question of local veto was surely raised now in a stronger form than they could have anticipated, and it was therefore far more important now than it was before that the Amendment should be pressed. He only hoped that in the division the Amendment would be supported by a large number of Members opposite who were opposed to local veto as a matter of principle, and that they would thus take the opportunity of saying that the method of the Government was not a proper one.

\*MR. CLAVELL SALTER (Hants, Basingstoke) said he found himself in a position of the greatest difficulty in regard to this clause and the Amendment which had been moved, and he felt convinced that that difficulty must be very largely shared not only by his own colleagues on that side of the House, but by hon. Members on the back benches opposite. He would look with the greatest interest to see not only how hon. Members opposite voted, but what they would say before the division took place, in regard to what he would venture to say was the extraordinary position in which the House of Commons found itself placed. The Committee were called upon to make up their minds upon the expediency or otherwise of a certain clause which was printed here, and they had to ask themselves before they passed that clause what its practical operation and real meaning

would be. That clause, which was of the utmost moment, would have operation in this country during the reduction period. That they all understood, and the Amendment, if carried, would limit its operation to that period upon which light was thrown. Would it have operation after the expiration of the reduction period? At one time that was denied, but a question of great importance was asked by the hon. Member for Westmoreland, and it was answered, in his humble judgment, in the only way in which it could be answered, having regard to the terms of the Bill. If the matter stood there, they should know where they were, and they should know what the operation of the clause would be after the expiration of the reduction period. Whether they approved or disapproved they should be voting on that which they knew. They were now told that the clause would have some operation—and any operation it had would be of great importance and would affect the lives of many—but they were not told what the operation would be. That was left unknown. Hon. Gentlemen on the back benches opposite whose credit was involved at the present moment, were asked to vote in the dark for a clause the meaning of which the Committee did not know, on the faith and belief that the Government would so alter a subsequent clause that the meaning of the present clause would be found satisfactory. He appealed to Members of the Committee not to tolerate a proceeding to which no member of Parliament ought to consent, and to insist on not recording a vote on the merits of this clause until they were able to say to themselves that they knew what its practical operation in the country would be.

THE SOLICITOR-GENERAL (Sir EVANS, Glamorganshire, Mid.) said he thought that the clause was perfectly clear, irrespective of the application which might be given to it when they came to the subsequent clause in the Bill. The meaning of it was that with regard to new licences not merely for the fourteen years, but for all time, they could have local option by a bare majority. No licence was a term well understood. It had been used often. It had been used

Mr. Sherwell.



for Members who were enthusiastic in these matters to support them, but he asked the Committee not to jeopardise the main principle of the Bill, which was that the nation should get the control of this traffic. Once the nation had got that it could manage it as it chose. But it was almost a breach of faith to say that the nation should then be tied by these restrictions. All these matters of local veto and the like were matters for posterity. They had no right to meddle with posterity. It was because he wished to see the main principle passed into law that he opposed this clause.

MR. F. E. SMITH (Liverpool, Walton) asked the Government whether he rightly interpreted the position as explained by the Prime Minister. As he understood it, the present view of the Government was that the local option proposals were not to operate in regard to the new licences under Clause 2. [Cries of "No."] That only showed how extremely important it was that there should be a clear statement. He confessed the construction he placed on the answer made by the right hon. Gentleman was that at the conclusion of the fourteen years reduction period it was not the intention of the Government that the licences, which became new under the extraordinary provisions of Clause 3, should be included under local option within the scope of Clause 2. Was he now to understand that the view of the right hon. Gentleman was identical with that expressed by the Under-Secretary in answer to a Question put by the hon. Member for Westmoreland in this House? The Question was—

"Am I right in supposing that if no fresh legislation is passed, the licences, having become new licences, will be subject to the local option provision of Clause 2?"

The Under-Secretary to the Home Department made a short and lucid reply. He said "Yes." They were, therefore, face to face with the fact that the present proposals of Clause 2 were to apply to every licence in the country as soon as the fourteen years had expired.

\*THE CHAIRMAN said that that question, which was a very proper one, would really arise on Clause 3.

MR. F. E. SMITH said in that case he would not continue to discuss the Amendment. The point of order would and must arise on the next Amendment on the Paper. He would, therefore, say nothing further, except that if they were to discuss to-day the question of whether or not they should agree to the proposals for local option, without in any way knowing the scope to be given to those proposals, a less profitable discussion could not be taken.

MR. COURTENAY WARNER (Staffordshire, Lichfield) said he imagined from the Chairman's ruling that all these Amendments limiting reduction period would be out of order. He had one objection to local option that he had always had, and it was a matter of regret to him that he was opposed to his friends upon this matter. He was in favour of temperance and temperance legislation. He would like to see this traffic under the control of the State, and not in the hands in which it was at present. If this clause was to make local option unlimited he, with many of his friends, would have to vote against it. As he had said he understood these Amendments would be out of order.

\*THE CHAIRMAN: I do not think they are out of order. I am inclined to think that some of them are likely to bring up this question, but I do not think it arises properly on the Motion to leave out this subsection. If it arises at all it arises on the Amendment for the reduction of the period.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) appealed to the Prime Minister to give the Committee a clear statement as to the arrangement he had come to, and to let the Committee have a free and fair discussion upon it. Members had come down to the House prepared to discuss the whole question, but under the ruling of the Chairman had been restricted to a very small part of it, namely, the new licences to be granted during the reduction period. There might be a few such cases. If there were, why could not the Government leave the matter to the licensing justices? They had a knowledge of the district.



Anyone who had sat on a licensing bench knew the difficulty of getting a new licence. The Prime Minister said that on Clause 3 he would make certain proposals. He gathered those proposals would be to alter the majority. If the right hon. Gentleman altered the majority it would only come back to Clause 2. Clause 3 was going to rule all licences after the reduction period, and, therefore, it would be convenient for the House now to discuss Clause 2 as applicable to licences after the reduction period.

**\*THE CHAIRMAN :** The hon. Member appears to be discussing that clause at large. If this question arises at all on this clause it will arise on the Amendment to insert the words "at any time during the reduction period."

**MR. SAMUEL ROBERTS** expressed his fear that when Clause 3 came to be discussed the Committee would be told that Clause 2 had been passed, and that they could not go back to it.

**MR. BOTTOMLEY** (Hackney, S.) said that as he happened to have upon the Paper an Amendment to omit this clause, he might be allowed the opportunity at this stage to address the Committee. He shared the embarrassment of hon. Members as to where they stood, and he would like to endeavour if possible correctly to interpret the somewhat oracular utterance of the Prime Minister. He gathered that the right hon. Gentleman wished the Committee to understand that while he had up his sleeve—to use a cant phrase—some modification of the clause, they must for the moment content themselves with discussing the point of what was erroneously called local option, but what was really local veto with regard to its operation in Clause 2 as it stood—in other words, in regard to its operation during the reduction period. He construed the Prime Minister's words in this way: "We have a very difficult Bill to pass through the House, and we have a very militant section of supporters whom it has been our custom to study. We have had to throw them this sop of local option, and by a stroke of ingenuity on the part of our draftsmen, we have given them something which appears to satisfy them, but which

turns out to be nothing more than this: We have given you local option during a period in which there will be absolutely no new licences to vote against, and when the time comes for the old licences to become new licences we are going to take the local option from you by some method which it would not now be in order to discuss." He was in the House when the hon. Member for Westmoreland asked the question as to whether local option under this particular clause would prevail after the reduction period, and the Under-Secretary made the laconic answer "Yes." The right hon. Gentleman, the Prime Minister, with his legal mind, knew that when a clause of an Act of Parliament said that something which had been provided for should be subsequently enforced, it could only be enforced as might subsequently be determined by Parliament; it did not become operative until Parliament had again considered it. He understood the position to be this: Under the clause they were asked to say—and to this he particularly called the attention of the hon. Member for Westmoreland and the right hon. Member for Spen Valley—that if it were a question of any new licence about to be granted during the reduction period—a state of things which it was almost impossible to conceive—they were to get together a handful of parish voters, who might prevent the justices who were responsible from granting it. That was all they were doing at present. In contemplating the vote he should give on this point he would bear in mind the fact that possibly to-morrow the House might determine that, after the reduction period, existing licences should become new licences. That was the meaning of Clause 2. Therefore he must not vote for local option under Clause 2, without having present in his mind that local option might become operative and applicable, under some other clause, to all other licences to come. That being so, he went right back to first principles and asked himself what they were talking about, what local option meant, and especially what it meant under the provisions of this extraordinary Bill—this omnibus Bill. He would like to throw out this specific and definite challenge to any hon. Gentleman who supported the Bill.

*Mr. Samuel Roberts.*

Could he point to any place on the earth in which local option — as it was so erroneously called—had been in operation, where the total consumption of alcoholic drink had been lessened by 1d. in the course of the year. That was a fair test. [The Prime Minister here left the House.] He was sorry he had frightened the right hon. Gentleman away—[Laughter]—but he was happy to see present the right hon. Gentleman's able lieutenant, the right hon. Member for Spen Valley, who was the real author of this Bill. He asked this specific question—Where had local option done any good from the temperance point of view? They might point to one or two limited districts and say that by the artificial operation of this system in such a district, there was a less consumption in that particular piece of God's earth; but as against that, they had the fact that there was a great consumption in the district immediately adjoining, with infinitely intensified evils. [AN HON. MEMBER: No.] That being so, the first foundation of the proposal was gone. He took the phrase which was used on that side of the House, "local option"—but perhaps he used it with less of tongue in his cheek, if he might say so respectfully, than did the noble Lord opposite—and he would say that it was utterly opposed to every principle of democratic Government. They talked glibly about giving the people power to decide, but they did not give that power. First of all, they selected a carefully limited section of the community to decide the question; and, on that, let him remind hon. Gentlemen on that side of the House that where local option had been put in force the highest poll ever recorded did not exceed 33 per cent. of the parish electors. [AN HON. MEMBER: No.] The hon. Member said "No." He repeated that the highest poll ever recorded in favour of any local option resolutions, in any part of the world, did not exceed 33 per cent. and the average number of the votes did not much exceed 25 per cent. even of the limited electorate entitled to vote. Dealing strictly with the right of any section of the community to vote on the question of licences, he submitted that, on the point of principle, it was utterly opposed to every principle of representative Government. It related every representative of the people,

whether municipal or parliamentary, to the position of a mere delegate—a position which he hoped no hon. friend near him was prepared to accept—at any rate in that House, whatever might be necessary in other congresses and associations. So much for the principle of the thing; but what about its effects? He happened to make an inquiry yesterday of a friend who lived very near to that earthly paradise, the Garden City of Letchworth. There there was no public-house, and he assumed that local veto in operation would have that effect, and he asked his friend what would be the effect on the Garden City. Might he ask the attention of the Committee to this letter which he had received, and which explained what followed the operation of local veto as contemplated by Section 1 of this clause? The letter said—

"The Garden City (two and a half miles from Hitchin) has a population, approximately, of 5,000 people—men, women and children. Of these about 2,000 would be working men. There are two licensed houses on the estate, which were in existence before the city was established. They are four miles apart, at opposite corners of the estate. There are no other facilities whatever for obtaining drink, as grocers and clubs are expressly barred from selling it. The consequence is that an enormous amount of secret drinking goes on in private houses. In fact, I have been told by several people who are in a position to know, and I have checked the statements by careful inquiries, that it is no uncommon thing for three or four 36-gallon casks of beer to be delivered *a week* at workmen's cottages. Of course, it is kept pretty quiet, or they would get into trouble with the Revenue officers. Then others, finding they have no facilities in the city, make a weekly pilgrimage on Saturday afternoons to Hitchin and Baldock (three miles away), and stop in the 'pubs' till the last train, at 10.30 p.m., to the Garden City. This train has got to be known as the 'drunkard's train,' so bad is the condition in which they get."

AN HON. MEMBER: Every last train is a drunkard's train. [Cries of "No."]

MR. BOTTOMLEY: Well, that was a direct result of the prohibition which existed in that place, and which would arise under local veto if it existed in this particular way. They were dealing here with one particular evil called the drink evil, and to test this principle of local veto he was entitled to say that if it were applied to the drink traffic it might legitimately be

very simple one indeed. Clause 2 introduced certain local option proposals and the field upon which these proposals were to operate had been defined as new licences. But no new licences, or none of any account, could be granted at all. Therefore his hon. friends, assuming that this Clause 2 was not introduced merely for the purpose of providing the House of Commons with something to do, looked into the latter portion of the Bill to see if they could discover something to account for the importance which the Government attached to it, and in Clause 3 there was a definition given to "new licences," which extended the scope of Clause 2, hitherto inoperative, and made it very different indeed. Therefore they criticised the local option, not on the unreal or lesser operation of Clause 2, but on the mischievous field exposed by Clause 3. The Solicitor-General said that in construing the Bill they must in considering in Clause 2 what was the definition of a new licence in Clause 3, limit themselves to the definition given in Clause 2. When his hon. friend pointed out that it was a universal canon of construction of Acts of Parliament to take them as a whole, the Solicitor-General said an Act was not a Bill. That was a new and interesting canon of construction. His Parliamentary experience was a short one, but he was sure the Solicitor-General would never have drawn that distinction unless there were numerous and weighty precedents to support him. He hoped the hon. and learned Gentleman would indicate what they were. The truth was that whether they were construing an Act or a Bill or any other document they construed it as a whole. Where did that carry them? It carried them to this point, that this apparently innocent scheme of local option was to operate not only on a few new licences, but on the whole of the licences which remained at the end of the fourteen years limit. That was the proposal with which they had to deal. Where was the hon. Gentleman on the benches opposite who had put down an Amendment similar to that moved by his hon. friend? What was his position? He had put his Amendment on the Paper, and explained that he thought that the Government were overloading the Bill, and

that it was a mistake that the local option should cover the whole of the licences at the end of the fourteen years. The Prime Minister said it was intended to cover the whole of these licences, but instead of a bare majority a greater majority would be required. He supposed, under these circumstances, the hon. Gentleman would vote with them in the lobby. What would the Amendment do if it were carried? There seemed to be some misunderstanding on the point. If this Amendment was carried it would make Clause 2 an honest clause, and make it impossible for that clause to do more than on its face it proposed to do. In the belief, which was not confined to one side of the House, that the extending of the principle of local option in Clauses 2 and 3, when read together, was mischievous in operation, and that it had never been considered by the Government, as had been shown by the introduction of an Amendment at the last moment, he would have no hesitation as to which way he should vote on this occasion.

MR. COURTENAY WARNER said his position was that he objected to local option or local veto as a permanent institution. The Liberal Party applied to the country on that issue in 1895, and were given a very distinct answer. He learnt a great deal about electioneering at that time, and he had since learnt a good deal about the feeling in the country on the subject of local veto. It had been recognised by temperance reformers that local veto was the wrong line on which to push forward temperance reform, and the right hon. Gentleman had in this Bill put temperance reform on other lines. The control of the drink traffic was to be in the hands of the nation. That being so, he applied to the Government to drop all minor issues which created opposition without advancing the cause of temperance. The Solicitor-General had inferred that it would be rather ridiculous to stop this curtailment at the end of fourteen years. But there was all the difference in the position before and after that period. During the fourteen years the control of the liquor traffic would be very much where it was at present. After fourteen years it would be in the

*Mr. F. E. Smith.*

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said he had no personal knowledge of the Garden City of Letchworth, but he knew something of a somewhat similar experiment close to his own home in the neighbourhood of Birmingham, in the garden city established there by Mr. Cadbury, and he would be surprised if it were not the case that the people who were the first to take advantage of the opportunities afforded to them by garden cities were not men of a very high type of character and rather the pick of their class than a sample of the abounding population of a crowded industrial area. Therefore, it was extremely probable that all that the hon. Member had just said about the general character of the inhabitants was quite true, and that it was very unlikely that there should be in such a community, and under such circumstances, a special indulgence in drink which they did not find elsewhere. But the question raised was really wider than as regarded a particular garden city, and the dangers were much greater in other places than in garden cities. He remembered a description of the village at Bournville in one of the daily papers, and the fierce indignation of the inhabitants at its being supposed that they had ever been or were likely to be slum dwellers, or belonged to that class of the population. But when they applied the same kind of restriction, to which the picked inhabitants of these special cities willingly submitted, to the masses of the crowded quarters of our

towns, would they not run a very great danger of promoting the kind of evils to which the hon. Member for South Hackney alluded? That was a serious question, because information supplied to him from more than one town led him to believe that there had been a tendency in recent years to form drinking clubs of a perfectly informal character in private houses. Bodies of men—not the best workmen, not characteristic workmen—who found difficulty in getting drink during prohibited hours on Sundays, subscribed sixpence apiece, bought a barrel of beer, and had it delivered to the house of one of them. They met on Sunday morning and sat there until the beer was consumed. He believed any attempt to enforce local veto in crowded populations was certain to lead to a tremendous development of secret drinking, which was infinitely more dangerous to the individual and to the community than any amount of regulated and public drinking. It was because he believed that any effort to impose upon a large number of people what, perhaps, a bare majority or a minority who went to the poll on a particular occasion chose to consider good for them, would lead to a great increase in secret drinking and all its abuses, that he was wholly opposed to giving such powers as were contemplated in this subsection.

Question put.

The Committee divided:—Ayea, 261; Noes, 99. (Division List No. 254.)

AYES.

Cameron, Robert  
Carr-Gomm, H. W.  
Cawley, Sir Frederick  
Chance, Frederick William  
Channing, Sir Francis Allston  
Cherry, Rt. Hon. R. R.  
Cleland, J. W.  
Clough, William  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Cooper, G. J.  
Corbett, CH. (Sussex, E. Grinstead)  
Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Crooks, William



their intention was. [Ironical cries of "Hear, hear," from the LABOUR benches.] There might be some hon. Gentleman below the gangway who did understand what the intention of the Government was; they might be in their confidence, but he would mention an hon. Member who was not in their confidence. There was the hon. Member for Westmoreland, who had taken the keenest interest in this question for many years past, and whose honesty and ardour he respected, although he profoundly differed from his opinions. What had the hon. Gentleman said in the country? He said this meant a Local Veto Bill in the fullest sense of the word, because if Clauses 2 and 3 were taken together the only possible interpretation was that at the end of the time-limit every existing licence would be a new licence, and that all the provisions with regard to local veto would be applied. That was also the view of the Under-Secretary for the Home Department, but it now seemed that that was not the view of the Prime Minister, and they were left in absolute confusion as to what was the meaning of the Government by the two clauses taken in their logical and natural connection. He was anxious to follow the ruling of the Chair, and to abstain from discussing the broad question, but he must say if the Government did not put on their own Bill the interpretation which every other human being had put upon it, they ought to have placed on the Notice Paper the Amendments which were absolutely necessary, in order that the House might understand what the Government were driving at. He spoke in the presence of a large number of hon. Members opposite who differed from him, but who were equally anxious to know what interpretation the Government put on it. He objected to the Bill as drawn; they approved of it; but those who objected and those who approved were quite agreed as to what it meant. If he was right and the Government were going to withdraw from the Bill as it had been drawn, and to put an entirely new view as to what was to occur at the end of fourteen years, he thought it would be desirable in the interests of the debate that they should put on the Paper of the House those Amendments which, when introduced

on Clause 3, would make clear what was now the utterly obscure and nebulous policy which they were recommending for their consideration. He could understand the Prime Minister's anxiety that this debate should not wander off into a discussion upon local option, but he must enter his most serious protest against the treatment the Government had meted out to the House in leaving them up to within a few hours of the discussion on Clause 3 in absolute ignorance of what it was that they meant. Without asking the Government to discuss or to defend any proposals which might be brought before the Committee to-morrow, he would ask the right hon. Gentleman to tell the Committee what was the Amendment, which no doubt the right hon. Gentleman had in his portfolio, but which he had refused to put upon the Paper and which was so to alter Clause 3 that it would neither carry out the wishes of the hon. Member for Westmoreland nor the policy to which those who sat on the Opposition side of the House were and always had been opposed.

MR. HARWOOD (Bolton) thought this debate justified what he had ventured to say on the Second Reading of the Bill. A great mistake had been made in jumbling together a licensing and a temperance Bill. He said that as one who had advocated the main principle of this Bill for more years than most of the Members now supporting it. He felt very strongly indeed the absolute need of the essential principle of the Bill, which was that the nation should obtain the control of the drink traffic. He would have thought that was object enough. It was certainly sufficient to raise enough opposition and difficulty without putting into the Bill a number of temperance matters. He was not going to discuss them, but would merely say that this was not a proper temperance measure, and these matters ought not to have been put into it. A number of things had been put in, and he protested against them. As a supporter of the main principle of the Bill, he protested against "local option," "barmaids," and many other things being brought in. He opposed the whole of these things, because he believed they were unwise. It was all very well

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for Members who were enthusiastic in these matters to support them, but he asked the Committee not to jeopardise the main principle of the Bill, which was that the nation should get the control of this traffic. Once the nation had got that it could manage it as it chose. But it was almost a breach of faith to say that the nation should then be tied by these restrictions. All these matters of local veto and the like were matters for posterity. They had no right to meddle with posterity. It was because he wished to see the main principle passed into law that he opposed this clause.

MR. F. E. SMITH (Liverpool, Walton) asked the Government whether he rightly interpreted the position as explained by the Prime Minister. As he understood it, the present view of the Government was that the local option proposals were not to operate in regard to the new licences under Clause 2. [Cries of "No."] That only showed how extremely important it was that there should be a clear statement. He confessed the construction he placed on the answer made by the right hon. Gentleman was that at the conclusion of the fourteen years reduction period it was not the intention of the Government that the licences, which became new under the extraordinary provisions of Clause 3, should be included under local option within the scope of Clause 2. Was he now to understand that the view of the right hon. Gentleman was identical with that expressed by the Under-Secretary in answer to a Question put by the hon. Member for Westmoreland in this House? The Question was—

"Am I right in supposing that if no fresh legislation is passed, the licences, having become new licences, will be subject to the local option provision of Clause 2?"

The Under-Secretary to the Home Department made a short and lucid reply. He said "Yes." They were, therefore, face to face with the fact that the present proposals of Clause 2 were to apply to every licence in the country as soon as the fourteen years had expired.

\*THE CHAIRMAN said that that question, which was a very proper one, would really arise on Clause 3.

MR. F. E. SMITH said in that case he would not continue to discuss the Amendment. The point of order would and must arise on the next Amendment on the Paper. He would, therefore, say nothing further, except that if they were to discuss to-day the question of whether or not they should agree to the proposals for local option, without in any way knowing the scope to be given to those proposals, a less profitable discussion could not be taken.

MR. COURTENAY WARNER (Staffordshire, Lichfield) said he imagined from the Chairman's ruling that all these Amendments limiting reduction period would be out of order. He had one objection to local option that he had always had, and it was a matter of regret to him that he was opposed to his friends upon this matter. He was in favour of temperance and temperance legislation. He would like to see this traffic under the control of the State, and not in the hands in which it was at present. If this clause was to make local option unlimited he, with many of his friends, would have to vote against it. As he had said he understood these Amendments would be out of order.

\*THE CHAIRMAN: I do not think they are out of order. I am inclined to think that some of them are likely to bring up this question, but I do not think it arises properly on the Motion to leave out this subsection. If it arises at all it arises on the Amendment for the reduction of the period.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) appealed to the Prime Minister to give the Committee a clear statement as to the arrangement he had come to, and to let the Committee have a free and fair discussion upon it. Members had come down to the House prepared to discuss the whole question, but under the ruling of the Chairman had been restricted to a very small part of it, namely, the new licences to be granted during the reduction period. There might be a few such cases. If there were, why could not the Government leave the matter to the licensing justices? They had a knowledge of the district.

Duncan, Robert (Lanark, Govan)  
 Faber, Capt. W. V. (Hants, W.)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hn. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashford)  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Harwood, George  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland

Kennaway, Rt. Hn. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lambton, Hon. Frederick Wm.  
 Lane-Fox, G. R.  
 Lea, Hugh Cecil (St. Pancras, E)  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Oddy, John James  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George

Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sassoon, Sir Edward Albert  
 Scott, Sir S. (Marylebone, W.)  
 Smith, F. E. (Liverpool, Walton)  
 Smith, Hon. W. F. D. (Strand)  
 Starkey, John R.  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Warner, Thomas Courtenay T.  
 White, Patrick (Meath, North)  
 Winterton, Earl  
 Wortley, Rt. Hn. C. B. Stuart-  
 Younger, George

TELLERS FOR THE NOES—  
 Mr. Cave and Mr. George  
 Faber.

MR. F. E. SMITH moved to amend the clause by inserting after the first "resolution" the words "requiring or," in order that the inhabitants of a district might have the power to require the grant of new licences as well as the power to prohibit the issue of any such licences. The Amendment, he said, was one which he was very hopeful would commend itself to the Government. In the course of the debate several speakers had recommended the general tenour of this local option proposed, on the ground of its democratic character, and it was his good fortune to repair the omission of the Government responsible for it to enable them to carry out the democratic principle of the work begun in this section. His Amendment was necessary in order that the intention of the clause could be carried out. The principle of local option was that localities had the right to work out their own moral salvation. He would be glad to know why, if the people on the spot were the best judges whether they should not have a public-house, they were not also the best judges as to whether they should have one. Understanding the basic principle of the clause to be that the people on the spot were the best judges whether they should or should not have public-houses, he was anxious to hear the Government explain why the people were not the

best judges whether they should have more licensed houses than existed in their locality. But the Government's answer must be a democratic one. He would have liked to ask the Labour Members, had they taken sufficient interest in the question to be present, whether their view of the democracy which they so specially represented was that it should be prevented from having additional public-houses if it thought proper. Was that the view of the Labour Party, and if so, why were they not present in larger numbers to support it?

MR. SUMMERBELL (Sunderland): They are here oftener than you are.

MR. F. E. SMITH said that perhaps they would hear some democratic explanation of that point. The question had been discussed by a very intelligent organ of Liberal opinion, the *Manchester Guardian*, and he would commend to hon. Gentlemen opposite its view as to what was democratic in this case—

"The only perfect solution or approach to a perfect solution is one that would give each and every area the right to be sober by its own will or intemperate by its own will. It is democratic; it concedes all that is reasonable in the views of the rather-see-England-free-than-England-sober party, and it minimises the obnoxious element present in nearly all legislation for improving other people's habits."

Coming from a Liberal organ, he received these expressions of opinion with very great pleasure. But they did not please the National Temperance Federation, whose secretary wrote to the paper a very warm remonstrance, describing its views as "grievously and sadly erroneous." He said in his letter—

"I have heard even eminent temperance advocates flatter their working-class hearers by telling them that hitherto the magistrates have been the licensing authorities, but that the temperance people desired to make the working-men magistrates in that respect, whereat their hearers cheered mightily. . . . The loose way in which this claim for a popular veto power was expressed has caused some public men who have come on our platforms, half-educated on the question, to assume that the temperance Bills, known as Permissive Bills, Local Option Bills and Local Veto Bills, are really Bills to enable the masses either to vote licences down or to multiply them by popular vote."

The *Manchester Guardian*, which was not accustomed to take things lying down, replied that—

"The basis of the case for local option is the belief—which is also the basis of Liberalism—that on the whole the ordinary man or community of men when given the control of their own concerns will seek after the better and shew the worse. Our correspondent's letter with its disbelief in the adequacy of any such popular tendency towards self-respect and decency, strikes us as a very good example of the attitude by which, more perhaps than by any other, temperance reform is delayed and discredited."

He hoped the Government would clearly explain to the House before this Amendment was disposed of whether they assented to the principle that the real reason for leaving these points to the working classes was that they knew their own needs and requirements better than the Government, and better than the Members of the House of Commons. If it was the case that the working classes were the best judges as to whether there was too many public-houses in a district, surely it could not be denied that they were also the best judges as to whether there was an insufficiency of public-houses. If that was the view of the Government then this Amendment ought to be carried. If it was not then the whole basic principle of local option disappeared, and it was nothing but a quack remedy.

Amendment proposed—

"In page 2, line 9, after the word 'and' to insert the words 'required' (Mr. F. E. Smith.)

Question proposed, "That those words be there inserted."

MR. ASQUITH said that, if it were a matter of what he might call an abstraction of democratic policy, he thought there would be a great deal to be said for the view which the hon. Member had brought forward. As to the controversy between the *Manchester Guardian* and the Temperance Union, he would not say on which side his sympathies lay, but it seemed to him that the reasoning of the *Manchester Guardian* was cogent. The answer he had to give to the Amendment on behalf of the Government, and he believed the majority of the House, was that they were dealing with a serious practical question. In point of fact, nobody had asked for this addition to the machinery of local option. He had not heard of any part of the country which had come forward to complain that the existing licensing authorities did not give them a sufficient supply of facilities for the sale of intoxicating drink, and that it was necessary to egg them on with the stimulus of a local vote. He thought it could be only in possibly imaginary, and certainly very rare, cases that the community was unable, under the cumbrous machinery of the present law, to obtain a sufficient supply of public-houses. If that were so, it was unnecessary to encumber the Bill by an Amendment which, if it were carried, would involve a great deal of alteration of the latter part of the clause.

MR. F. E. SMITH said he had placed upon the Notice Paper eight or nine consequential Amendments.

MR. ASQUITH suggested that that circumstance was an additional reason for not accepting the Amendment which had just been moved, because it was likely to supply a fruitful field for further discussion. He thought the Committee would do well to adhere to the simplicity of the clause in its present form.

MR. A. J. BALFOUR said he had been somewhat entertained and surprised at the distinction which the Prime Minister had drawn between what he

the other, because it was something which he never expected to hear from the bench opposite. Was it to be understood that there was no democratic abstraction at the root of local veto? He was not aware that anybody had alleged that the magistrates of this country had been over-ready to grant new licences; and, therefore, all this discussion depended, not upon a serious and practical question, but upon what the Prime Minister called a democratic abstraction. If that were so, let the abstraction have the one virtue which an abstraction could have by being complete, round, and logical. He thought hardships might arise in the application of local veto to the grant of new licences. For example, in the case of the construction of a new railway, a large body of navvies would be introduced into a district in which they would have no voting power in regard to the question whether the number of licensed houses was adequate. He should have thought that the best judges as to whether the accommodation was sufficient would have been the magistrates.

MR. JOHN WARD (Stoke-on-Trent): The navvies supply themselves without the permission of the magistrates.

MR. A. J. BALFOUR asked, if that were so, what was the use of all this machinery. If liquor, instead of being obtained through the regular channel of the supervised public-house, was to be obtained through other channels which were not supervised, the Bill before them would not be worth the paper it was written on. He ventured to say that the whole of this scheme in Clause 2 was quite an unnecessary attribute to what the right hon. Gentleman called a democratic abstraction. If they were going to make sacrifices at that altar at least let the Government carry their principles to their logical conclusion, and not give a body—as he considered not qualified to deal with the matter at all—half the power and refuse to give the other half. He did not know whether his hon. and learned friend proposed to carry his Amendment to a division. Personally, he disliked the whole method adopted by the Government of dealing with this

question, and therefore, he was not so anxious that it should be made either logical or coherent. The Amendment, however, did bring the clause within the rules of consistency and logic. It would appear from the proposal in the Bill that the Government did not consider the communities fit to deal with the question of drink facilities, for they were to be hampered by legislation to prevent the misuse of the power given. It seemed to him that the whole basis upon which the Government said they were dealing with licences was cut away from under their feet, and they were reduced to the melancholy position of the right hon. Gentleman putting practical necessities on one side as something not to be considered, and democratic abstractions on the other as things useless, unnecessary, and unworthy of the attention of a businesslike assembly.

\*MR. LUPTON (Lincolnshire, Sleaford) appealed to the Prime Minister to accept this Amendment. The right hon. Gentleman represented a Scottish constituency, to which this Bill did not apply, whilst on the other hand he (Mr. Lupton) represented a constituency to which this Bill did apply. There could not be a more ardent partisan supporter of the right hon. Gentleman than he was, for he had determined to live and die supporting the Party of which the right hon. Gentleman was the head. He had taken part in a good many hard fights, and he had always been victorious. The reason was that he had always chosen the ground on which he should fight so as to ensure that he had a good moral case. He believed that the democratic line of argument was a good one to run on, and a line on which they could win, but a fanatical teetotal line was not one on which they could win. If the Government contended that the magistrates were not competent to decide whether or not there should be new licences, and were going to grant local option, then let it be real according to the heading of Clause 2. If this Bill was going to permit the people in any locality to decide for themselves whether they would have one public-house, two or twenty, and whether they were to remain

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open on Sundays, and what hours they should open or close, then it would be a democratic Bill, and a thundering good Bill. By accepting this Amendment the responsibility would be thrown on the locality, and if it were accepted he would be able to reply to the electors who accused him of closing up the public-houses: "No, we are going to leave it to you to decide." One of the great evils of the present system was the wretched character of the public-houses due in a great measure to legislation and the action of the magistrates. It had been asked, if this clause did not operate for more than fourteen years, what was the use of it, because there would be very few licences granted. As far as Clause 1 was concerned, he contended that under it there might be a good many new public-houses created in both urban and rural districts, and also in districts where at present there was practically no population at all. It was a matter of the highest importance that the Government should proceed on a line that could be justified on the platform. If they took a line that could not be justified on the platform they would be deliberately riding for a fall. If there was no demand for a public-house, then this Amendment would be harmless; on the other hand, if there was a demand by an overwhelming majority why should they not have the public-house? He saw no reason why the people should not be trusted, because the more they trusted the people the better it was for them, as they rose to the dignity of the occasion. He did not desire to occupy the time of the House unnecessarily, but he wished to state to the Committee that he had seen what went on in other parts of the world; and the idea that they were going gradually to close all public-houses was altogether a delusion. The only chance was to reform public-houses, and they could only do that by placing the control entirely in the hands of the people who used them. If they were all opened up to broad daylight and if the ladies and gentlemen who went to these public-houses felt the responsibility for them they would keep them in order. They wanted an enlightened public opinion, and they could only get that by adopting a really sound local option. Surely the

Prime Minister did not wish to lead them on to destruction, but was desirous of making a really sound Bill, which would be on permanent lines which no man could dispute. What was the use of passing a Bill which would be upset in three or four years time? If they did win it would be a great and glorious victory, and something of which politicians, temperance men, democrats and aristocrats alike might well be proud.

\*MR. SUMMERBELL said it was not within his province to discuss the accusation which had been brought against the Labour Members in regard to non-attendance in the House, but he would say that the accusation was most unfair, for the members of the Party to which he belonged gave better attendance than many of those who sat above the gangway. If the hon. and learned Gentleman challenged that statement, he would produce proof. In regard to the matter under discussion he wished to say that in almost every industrial centre where the middle and upper classes lived, licensed houses were very scarce. That was due to the fact that the middle and upper classes had monopolised the licensing benches up to the present moment. It was on that account he rejoiced that they were going to have put into the hands of the people the power of saying how many licensed houses they would have in their midst. If the hon. and learned Member had adhered to that alone he would have considered that there was some justification for the Amendment. He believed in trusting the people to the fullest possible extent. He believed there was something in the argument that if the people were to be trusted in regard to the reducing of licences they should also be trusted in regard to the increasing of licences. He was glad to find so many enthusiasts on that side above the gangway in regard to trusting the people. If they were ready to trust the people in regard to the proposal in this Amendment he and his friends would ask them to trust the people in regard to a great many things, before long so far as legislation was concerned.

EARL WINTERTON said his hon. and learned ~~Member~~ was anxious to



know what course hon. Members below the gangway proposed to take in regard to this Amendment. Would they support it as a democratic Amendment? The Prime Minister seemed to think that the suggestion of his hon. and learned friend was almost farcical, and he suggested that it was only brought forward for the purpose of causing diversion. What the Amendment proposed had already been adopted in some parts of the British Empire. It had been adopted in Victoria and South Australia. Section 27 of the Victoria Act of 1890 empowered the inhabitants to determine whether the number of victuallers' licences should be decreased or increased. That was exactly the principle which his hon. and learned friend had brought forward in the Amendment. The South Australian Local Option Act of 1880 provided that the people might vote for a reduction of licences, the retention of the existing level, or the granting of new licences. Therefore in both these cases democratic Governments trusted the people to say whether they would have fewer or more licences than they had. The right hon. Gentleman altogether misapprehended the position. He said that he never heard of any locality demanding more licences, and he challenged his hon. friend to bring forward a case. But he forgot that the position under the Bill would be entirely altered. He forgot that under the drastic proposals of the Bill a locality might consider itself aggrieved in not having a sufficient number of public-houses. He thought the pretence that this was a democratic measure had been demolished.

† **\*MR. LEIF JONES** (Westmoreland, Appleby) said that when he heard the principle of local option and local veto assailed by Members opposite he felt that he must reply. He thought that the hon. Member who moved the Amendment had not explained to the Committee that what he was proposing was a revolution in the licensing system, and practically the abrogation of it, because the whole theory of our licensing system implied that the general law of the country was prohibition. The licensing system implied a general prohibitory rule for the whole country. The very title of Sec-

*Earl Winterton.*

tion 3 of the Act of 1872 was "Prohibition of the sale of Liquor without Licence." Prohibition had been the law of this country for the last 400 years. He was not surprised that hon. Gentlemen opposite did not shrink from revolution on this subject. They executed one revolution in 1904, and now they proposed a new revolution which practically abolished the licensing system. So long as the people of this country accepted the licensing system, which he thought all did, he held that local veto on the question whether there should be exceptions to the general rule was a necessary and essential part of any just licensing system. The whole theory of the system was that the general prohibition was subject to local exceptions granted to meet local needs by local magistrates. He and his friends contended that the people on the spot were better judges of the local needs than licensing justices. He had always felt that the licensing system could not logically be justified unless they took the vote of the people as to whether the general rule ought to be set aside. If the people refused to pass a prohibitory resolution and said: "We leave it to the justices; we do not interfere with the discretion of the licensing authority," then he and his friends were content to leave it to the justices to issue licences up to the statutory limit, to select the houses and the people who were to carry on the trade. But they claimed that they could not have a really logical system and justify the exceptions unless the people voted on the question, and therefore he thought the Government were eminently right in giving merely a prohibitory vote, and in not submitting the alternative question whether there should be free sale of liquor. If hon. Gentlemen opposite would propose the free sale of liquor he and his friends would have plenty of arguments against it. If they had a licensing system, local veto was logical, necessary, and just.

**MR. AUSTEN CHAMBERLAIN** said the hon. Gentleman had endeavoured to put the temperance policy of the Government on a logical basis, and he must say that a more extraordinary speech he had seldom listened to. In order to justify the proposal of the

Government and the attitude of the temperance associations with which he was connected he laid down that the whole basis of our licensing system was general prohibition subject to particular exceptions. He ventured to say that that was not historically true, and that it was practically nonsense. The progress of our licensing system was on a contrary principle. It started with free trade on which was gradually grafted increasing restrictions and regulations, but never from first to last had there been any historical foundation for the hon. Gentleman's argument that our system was based on universal prohibition. Was the Government's Bill based on that? It was quite true that no one might carry on the trade without a licence, and in order to hold a licence the licensee must fulfil certain requirements of the law. In order that a man might carry on practice as a doctor he had to fulfil certain qualifications, and they might as well say that our system of medical jurisprudence was based on general prohibition, subject to occasional exceptions; and equally in the case of solicitors, auctioneers, and barristers. The Bill did not contemplate anything like universal prohibition. It might contemplate prohibition in particular areas and circumstances, but quite clearly if the Government had

they said: "We are not going to take away a single public-house. All we say is that you should have the power to reduce the number of public-houses if you wish it, and to increase the number of public-houses if you desire to do so." He recommended the hon. Gentleman to read Clause 1, which provided that the public-houses were to be reduced.

MR. LUPTON said he did not say that. He was not allowed in his speech to refer to the consequential Amendment which he had put down on the Paper, which said that, notwithstanding the scale in the First Schedule, there should be a regulating resolution which might be either prohibitory, or one imposing conditions, or one demanding one or more new licences with or without special conditions.

MR. AUSTEN CHAMBERLAIN said that the hon. Gentleman's speech to his constituents was quite inapplicable to the Government Bill, and to the clauses already passed. It referred to a state of things which the Government were not endeavouring to carry out, but which they were doing their best to resist.

MR. LUPTON said that the Amendment had the

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would get his beer just as easily as he did now. That was the class of argument that was used by hon. Members in the country; but when they got fierce temperance advocates like the hon. Member for Westmoreland they found that that hon. Member dwelt on the mandatory character of Clause 1 and the power of his constituents to reduce the public-houses still further without the power to increase them. It was now explained by another hon. Member that all that meant nothing, that it was not worth the paper it was written upon, and that if their constituents did not get beer in the public-houses they would get it elsewhere.

\*MR. CLAVELL SALTER said that the speech of the hon. Member for Westmoreland was one of the most interesting he had listened to in the House for a long time. The hon. Gentleman rushed in where his leaders feared to tread. For his part, he greatly respected the hon. Member for his courage, but he confessed he profoundly differed from the statement of the law on which the hon. Gentleman based his argument. The hon. Gentleman stated that the basis of our licensing law was prohibition. He ventured to say that the basis of our licensing law was not prohibition but regulation. It was impossible to read especially the earlier governing Acts, without seeing that, instead of its being the intention of Parliament to restrict, it was to provide, under regulation, but in ample measure, victualling houses for the people. If he went back to the Act of 1830 he found at the threshold of that measure, which was one of the most important of the licensing statutes, that it recited—

“It is expedient for the better supply of the public with beer in England to give greater facilities for the sale thereof than are at present provided.”

\*MR. LEIF JONES asked the hon. and learned Member if the Beer Act of 1830 was not recognised at the time as an

absolute change of the policy of the past, and was not the experiment a failure which had afterwards to be reversed?

\*MR. CLAVELL SALTER admitted that that Act was found to work badly and was afterwards modified. But on the ground of a disputed fact, he differed profoundly from the hon. Member. However, if the hon. Member's statement of the law was accurate, it was not logical. They must trust the regulation of the trade either to the representatives of the people—the justices, or the people themselves. What was proposed in this Bill was wholly illogical, because they did not trust the one or the other. They trusted either to a certain extent. They trusted the justices to provide for a sufficient supply of drink to those who wanted it, but not for a sufficient reduction of the number of public-houses; and in the same way they did not trust the people wholly but only when the people agreed with what hon. Gentlemen opposite desired. If the majority agreed with them the wishes of the majority were to prevail, but if the majority wanted more public-houses then the opinion of the minority was to prevail. He felt confident that if local option or prohibition ever commended itself to the people of this country it would be on the lines that existed in our democratic Colonies.

SIR C. SCHWANN (Manchester, N.) said that an hon. Member had said that magistrates had never forced licences on an unwilling district; but if he read the newspapers he would have found that in thousands of cases the licensing justices had often inflicted public-houses on districts which had been determinedly opposed to them.

Question put.

The Committee divided:—Ayes, 98; Noes, 257. (Division List No. 256.)

#### AYES.

Acland-Hood, Rt Hn. Sir Alex. F.	Banbury, Sir Frederick George	Bottomley, Horatio
Anson, Sir William Reynell	Banner, John S. Harmood-	Bowles, G. Stewart
Arkwright, John Stanhope	Beckett, Hon. Gervase	Bull, Sir William James
Balcarres, Lord	Bertram, Julius	Burdett-Coutts, W.
Balfour, Rt Hn. A. J. (City Lond.)	Bignold, Sir Arthur	Butcher, Samuel Henry

*Mr. Austen Chamberlain.*

Campbell, Rt. Hon. J. H. M.  
 Carile, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hon. J. (Birmingham)  
 Courtbope, G. Loyd  
 Craik, Sir Henry  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 De Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fell, Arthur  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Grayson, Albert Victor  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd)

Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hazel, Dr. A. E.  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robertson Paterson  
 Hunt, Rowland  
 Kerry, Earl of  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Long, Col. Charles W. (Evesham)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lupton, Arnold  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Macpherson, J. T.  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Myer, Horatio  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Oddy, John James

Pease, Herbert Pike (Darlington)  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Rendall, Athelstan  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Scott, Sir S. (Marylebone, W.)  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Summerbell, T.  
 Talbot, Lord E. (Chichester)  
 Thorne, William (West Ham)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Watt, Henry A.  
 White, Patrick (Meath, North)  
 Wortley, Rt. Hon. C. B. Stuart-  
 Younger, George

TELLERS FOR THE AYES—Mr.  
 F. E. Smith and Mr. Salter.

### NOES.

Abraham, William (Cork, N.E.)  
 Abraham, William (Rhondda)  
 Acland, Francis Dyke  
 Agar, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Astbury, John Meir  
 Atherley-Jones, L.  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barlow, Sir John E. (Somerset)  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Benn, Sir J. Williams (Devonp'rt)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bethell, Sir J. H. (Essex, Romford)  
 Bethell, T. R. (Essex, Maldon)  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramson, T. A.  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burnet, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard

Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Crooks, William  
 Crossley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dilke, Rt. Hon. Sir Charles  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.

Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred



Johnson, John (Gateshead)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 King Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn A C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)]  
 Parker, James (Halifax)

Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Redmond, William (Clare)  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shipman, Dr. John G.  
 Silcock, Thomas Bal  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N.W.)

Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Grennock)  
 Stuart, James (Sunderland)  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Wadsworth, J.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hn. E. (Clackmannan)  
 Waterlow, D. S.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Williams, Osmond (Merioneth)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westboughton)  
 Winfrey, R.  
 Yoxall, James Henry

TELLERS FOR THE NOES—  
 Mr. Joseph Pease and Master  
 of Elibank.

\*MR. HERBERT (Buckinghamshire, Wycombe) moved to insert after the word "prohibiting" the words "the removal of any licence into such district or." The object of the Amendment was to carry out, as he believed, the intentions of the Government, and to do so without some of the incidental disadvantages which accrued from the way which the Government proposed. He ventured to hope that this was an Amendment which the Government might accept, because it was certainly one of the class that the Prime Minister, over and over again, had stated that the Government would be willing to accept; that was to say, it was a proposal which was loyal to the principles of the Bill, and was free from

some disadvantages such as the Government Bill had. The objects of the Bill were to reduce licences to the scheduled number, by giving the inhabitants of licensing areas power to prevent an increase in the number of licences, and also to make the publican, at the end of the reduction period, pay the monopoly value. The object of the Government was not incidentally in carrying out these objects, to make a publican pay compensation value unnecessarily within the reduction period. In order to give the inhabitants of a district power to carry that out, it was clear they must have the possibility of prohibiting the grant of new licences in their district, and also of preventing the



removal of a licence from one ward of a borough into another ward, because, as far as the inhabitants of a licensing district were concerned, it was the same thing if the number of licences was increased by the removal of a licence or by a new licence. The Government prohibited the removal of licences at all, and they altered the existing law. Under that law licences could be removed from one ward of a borough to another. The Government prohibited that by subsequent clauses altogether, and the result was that, supposing they had in a borough a number of wards, if in one of those wards the schedule required reduction in the number of licences, and in another the number of licences was not up to the schedule number, it was quite reasonable, there being no prohibitory resolution in force, if in the opinion of the justices there should be an additional licence in that ward, that they should be able to say to the publican: "Your licence has got to be put an end to, but if you go to the end of the street, you would be getting practically the same clientele and carrying on the same business, and you had better remove there, and have a new licence and not pay monopoly value for fourteen years." But they could not do that under the Government scheme—they could not do that unless they made him pay the monopoly value, although they did this next year or any year during the fourteen years. That was a result which was not necessary to the object which the Government had in view, and it appeared to him that it was inflicting upon publicans an unnecessary hardship, because the Government scheme could be perfectly well-carried out by accepting his Amendment. Of course, the difficulty arose largely from the fact that they had different areas for licensing and for the local veto resolution. He thought that everybody agreed that if they were going to have local veto it must be in small areas. The smaller the area the more reasonable it became, so under the Bill they had a different area for local veto and for the jurisdiction of the licensing justices. Under those circumstances, he submitted that putting forward as he did an Amendment loyal to the principle of the Bill, and carrying out its principle in every respect in the way in which the Government desired,

and avoiding an incidental injustice to those engaged in the licensing trade, it was an Amendment which might be accepted by the Government. He therefore begged to move.

#### Amendment proposed—

"In page 2, line 9, after the word 'prohibiting,' to insert the words 'the removal of any licence in such district or.'"—(*Mr. Herbert.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said that, speaking generally, the policy of the Government Bill was to do away with the removal of licences, and they were there to give local option by way of prohibition. It would therefore be convenient to discuss the matter generally as to the removal of licences, and, speaking in that sense, he perhaps might give the House his experience that it had been attended with very considerable danger to the community. What they had very often was an application for a new licence in a particular district, to a particular bench of magistrates, and, as a sort of bait for the granting of such a new licence, the applicant came and said: "I do not ask for a new licence *de novo*; I ask for a removal from a place in the same licensing district." The difficulty was this, that as soon as they got their district they had their public-houses for it. If the licence was necessary, it should be granted for that district; if it was not, it ought not to be granted by removal from another. He suggested that, having made a very fair speech, his hon. friend might now drop the subject, in order that he might deal with it formally later on.

MR. COURTHOPE (Sussex, Rye) thought the Solicitor-General had overlooked the fact that great convenience very often arose through allowing licences to stand. The hon. and learned Gentleman must know of many cases where, owing to the growth of building in one part of a district at a greater rate than in another, or to the construction of a railway station or some other development, need arose for a licensed house at a particular spot where one had not previously stood. Over and over again, difficulties were

removed and things made to work smoothly by the removal of a licence from one house to another. Clause 22, if passed, would stop all that. It would prevent the justices really considering the needs of the district, for which they were responsible in licensing matters, and would lead to the maintenance of houses no longer required but which would be retained because of the inability to remove the licence to a district where it was required. The hon. and learned Gentleman must have also overlooked the fact that, from the point of view of compensation, Clause 22 would be a very bad thing indeed. If Clause 22 when reached was struck out of the Bill, and some such an Amendment as the one before the House inserted to enable the people to remove a licence from a district where it was no longer required to a locality where it was needed, a great deal of money in the shape of compensation would be saved. He strongly urged the Committee to consider these points before they finally rejected this Amendment.

MR. GRETTON (Rutland) was of opinion that the House did not quite realise what the Bill proposed to do. As he understood it, the Amendment, if passed, would not only prevent the licensing justices moving a licence from one district to another, but from moving it to another place in the same district. It would prevent them removing a licence from one house to another in the same street, or to a better site within a few yards of the old house. Before the Committee voted on this Amendment they should understand that a prohibition of removal went a great deal further than the hon. Gentleman proposed it should go by his Amendment. He understood that the Government was opposed to all removals; this proposal would prevent the removal of a licence already in existence to a more convenient site, even to next door, and therefore he earnestly suggested to hon. Members opposite that they should give the matter a little more consideration before deciding this question.

MR. PATRICK WHITE (Meath, N.) pointed out that what the Committee was asked to do was to say that instead

*Mr. Courthope.*

of extinguishing a licence it should be possible to remove it from a district where it was no longer required to one where it was needed. If the right hon. Gentleman really desired to carry out the intentions of the Bill, he should certainly consider that point.

Question put, and negatived.

\*MR. CLAVELL SALTER said the Amendment he now had the honour to move must be read in conjunction with one lower down on the Paper. The effect would be to restrict the popular veto to saying there should be no increase on the present number, and it would not give them the power which this Bill undoubtedly would of shutting up existing public-houses. There were very cogent reasons to be urged in support of this Amendment. During the reduction period the operation of Clause 2 would not be very important, but during that time it would have one unfortunate operation. There was a transaction very common at the present time at Licensing Sessions which was most convenient. It was a transaction whereby an old-fashioned, ill-placed, and ill-fitted public-house was shut up on condition that a licence should be granted to a new house. If this Amendment were rejected it would not be possible during the reduction period for the justices to sanction an arrangement of that kind, because it would be granting a new licence. The result, if the Amendment were accepted, would be that during the reduction period a large number of old and ill-found houses, which would be much better out of the way, would be kept alive because the justices would feel the hardship of sweeping them out of existence. In the interests of temperance and good order this Amendment was deserving of attention. When they came to the period after the reduction period, this clause would have a very wide effect. By the operation of some majority which was to exceed the bare majority the people would have the power of shutting up every public-house. In any area they could pass a resolution the effect of which would be that at the expiration of the period of the current licences every public house and every hotel must close its doors unless the licensing commission

were kept on for the purpose of granting licences. Parliament ought to hesitate before they put it into the power of the majority taken on a popular vote to shut up every house of public entertainment in any area. Local option had always been a failure. He also felt very strongly on the point taken by the hon. Member for Bolton. They ought to hesitate before legislating for posterity. They were now going to legislate so that at the end of fourteen years this enormous power was to be the subject of a popular vote. Such an important matter as that should not be legislated for now. It should be left to those responsible for dealing with it when the time came. This Amendment did no more than carry out the original intentions of the Government, and he thought that they never had any intention of giving to popular veto power beyond that of saying that after a certain number there should be no more new licences.

#### Amendment proposed—

"In page 2, line 9, to leave out the words 'the grant of new licences,' and to insert the words 'any increase in the existing number of licences.'"—(*Mr. Clavell Salter.*)

Question proposed, "That the words 'the grant of new' stand part of the Clause."

SIR S. EVANS said that, so far as the object of the Amendment was to clear out undesirable houses, the Government hoped that they would be done away with almost entirely by the procedure of reduction in the fourteen years. But it ran entirely counter to the plan of the Government to allow the magistrates to grant any new licences at all if a prohibitory resolution had been passed. He could quite conceive that it would be most unsatisfactory, in the view of those who passed a prohibitory resolution, that a small house should be put on one side and what was called a gin palace substituted for it. Such a change might be most objectionable to a neighbourhood. Under these circumstances, they would follow the clause as it stood, so that after the passing of a prohibitory resolution a big licensed house could not be put in the place of smaller ones, for a big house might be

much more objectionable to a locality than the smaller ones.

MR. COURTHOPE said he gathered that the expectation which was placed before them was that the result of his hon. and learned friend's Amendment would be that gin palaces would be set up in the place of respectable houses, but surely such cases were likely to be very few and far between. He was certain it would be admitted that the great majority of licensing justices honestly tried to do the best they could for their neighbourhoods, and they welcomed the opportunity whenever they got it, not of setting up gin palaces, but of setting up decent commercial houses, where food could be obtained and consumed in comfort, and not in unfit places, or hovels, such as existed in many parts of the country. If the Government insisted on this clause remaining in its present form they would be absolutely checking the work of one of the greatest temperance agencies that they had at the present time, viz., the work of the public-house trusts and of the refreshment-houses associations, and so forth. If the Amendment of his hon. and learned friend were adopted it would give power to those bodies to continue their excellent work. It would enable the justices to substitute a house for one or two, or even three, inefficient and insufficient houses, as the case might be. He had no hesitation in saying that in refusing an Amendment of this kind the Government were not doing anything for temperance; on the contrary, they were striking a blow at the progress of the temperance movement. He hoped that even now, at the eleventh hour, the Solicitor-General would see his way to changing his mind and accepting the Amendment.

MR. LANE-FOX said the hon. and learned Gentleman the Solicitor-General must recognise the very large number of cases in which the public-house trusts had been able to do a great deal of good by paying the surrender value of badly-ventilated and ill-constructed houses, and setting up in their places useful and desirable refreshment places. The Bill, as drawn, made that in future impossible.

The Solicitor-General must know that in a great many cases, in small market towns, there were a large number of old-fashioned houses which were certainly unsuited to the requirements of the present day, and which could be very easily altered and put into better form. It would be absolutely impossible with the Bill as it stood for buildings of that sort to be erected. He could not expect the Government to accept the Amendment, because, as the hon. and learned Gentleman had said, it was contrary to the principles they had announced to the House, and it would make it impossible for the operation contemplated under the next clause to come into effect. Before they finally dismissed the Amendment, however, he wished to ask what justification the House had for rejecting it. What mandate had the House for saddling upon the country a system under which the prohibitory resolutions could be passed by which absolutely all the public-houses in a place could be taken away, it might not be by a bare majority, but by whatever majority the Government pleased? What hon. Member would dare to go before his constituents and say he was prepared to support a measure of total prohibition of that sort? The speech of the Solicitor-General showed that the Government were just as unwilling to trust the magistrates as in another direction they were unwilling to trust the people, and he thought it only right that the country should be made to realise the direction in which the Bill was going.

MR. A. J. BALFOUR said he should have thought the Government would have taken up a totally different attitude with regard to this Amendment from that they had adopted as expressed by the Solicitor-General, but they had shown themselves absolutely deaf to appeals made to them in the interests of temperance reform upon a basis far more likely to be permanent and to work beneficially in the hands of the people than any of the rather crude prohibitory methods which at present found favour on the Treasury Bench. The principle of the Government Bill was that, when there had been a resolution against a new licence, the resolution should be interpreted to mean actually

not that the number of licences should not be increased, but that there should not in the technical sense be a new licence. That was not the form in which the people of the locality would really give the vote. Nobody would contend that if they had a vote in any of the localities, the people would be thinking of the quality of the public-houses or of the technical grant of a new licence. They would be thinking of the total number of public-houses, and what they would be voting for, and what everybody knew they would be voting for, would be that the number of public-houses should not be increased. His hon. friend suggested that they might concede the real principle the Government had in view, and that they might give to the locality an absolute discretion as to the number of licences, but that they should allow some latitude as to the quality of the licences granted. The hon. and learned Gentleman got up and said that if they did that they might see a gin palace substituted for a good and reputable, although a small, public-house. The hon. and learned Gentleman knew perfectly well that that was not what would happen under the Bill. It was neither the intention of the mover of the Amendment, nor was it what was going to happen in any circumstances. What was going to happen was that agencies which were now moving in the direction of true temperance reform, and were striving to the best of their ability to raise the character of public-houses, would receive a serious blow, deliberately dealt by a Government which professed to have the temperance cause at heart. The hon. and learned Gentleman had not made the smallest answer to the arguments of his hon. friend. The case put was this: If a locality decided that there should be no new licence, what they really meant, and what was always meant, was that there should be no increase in the number of licences; but the Bill made it impossible for any proposal to be made to improve the quality. He thought it was remarkable that a Government which claimed to be promoting temperance legislation should seriously defend a policy of that kind. If the Prime Minister were present to listen to the arguments addressed

*Mr. Lane-Fox.*



from that side of the House, he did not think the Government would be able to adhere to their decision; but he supposed in the present condition of the benches the members of the Government in charge of the Bill were absolved from answering to those arguments, and in those circumstances he did not think his hon. friend had much chance of carrying his Amendment. By the rejection of the Amendment, the Government were dealing a serious blow at one of the great agencies in favour of temperance, and they were doing that for no object whatever except to maintain the verbal integrity of the Bill they had thrown upon the Table of the House.

SIR S. EVANS said they differed from the view of the right hon. Gentleman and thought he was mistaken as he thought they were mistaken. He could only assure him that even if the Prime Minister were present the answer of the Government would be the same. The Government had no notion at all of preventing the improvement of public-houses. It could be effected by the justices now. The right hon. Gentleman said that what people would vote upon was whether there should be an increase in the number of the public-houses in a locality. What he (the hon. Member speaking) said and what he repeated was that what they would vote against was there being any new licence at all. He therefore differed from the right hon. Gentleman in that matter, and he did not say that where a gin palace was substituted for a small house or two small houses it often happened that they had much more facilities for ordinary drinking, because in the old houses they had more room adapted for recreation than in the new house. If the old licence ought not to exist, they hoped it would be done away with; but there was no reason why, if they gave the locality the right to pass prohibitory resolutions they should create a new licence in a different spot.

MR. YOUNGER (Ayr Burghs) said that as a matter of fact licensing magistrates

made it extremely difficult to improve houses in the direction in which they ought to be improved. The hon. Gentleman in his first speech had given what he thought was a very extreme case. It might have been one in his own private practice in which he succeeded in getting a gin palace erected somewhere or other instead of two small licences which were given away for it. If he succeeded in doing so he was to be congratulated on his success, because licensing benches in Scotland, and he believed in England, looked very narrowly indeed at proposals of this kind, and never granted new licences of that sort in return for a surrender unless they were perfectly satisfied that it would be an improvement on the existing condition of things, and that it was a public necessity, and would, to some extent, increase the accommodation in that locality. Why the Government should cut away the power of the licensing magistrates and reduce them to a position of complete nullity in administering the licensing laws it was difficult to say. They spoke with two voices. At one time they did one thing and at another time another. If there was one thing more patent than another it was that this Bill from beginning to end was a hotch-potch. There had been lots of cooks in the preparation of the Bill, and the result had not been particularly successful. Already the Prime Minister had said he required to-morrow to make Clause 3 read with Clause 2. He supposed Clause 2 was drawn by some people and Clause 3 by others. But be that as it might the whole thing was a complete muddle, and before they got to the end of the Bill, goodness knew what would happen to it. Meantime it was impossible, he supposed, to expect that any reasonable Amendment of this kind would be accepted. Having regard to the fact that it was to have such a wide operation at the end of the time-limit period it seemed certainly not very judicious to leave it in its present unsatisfactory position.

Question put.

The Committee divided :—Ayes, 230 ; Noes, 72. (Division List No. 257.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William

Alden, Percy  
Armitage, R.  
Armstrong, W. C. Heaton

Ashton, Thomas Gair  
Astbury, John Meir  
Atherley-Jones, L.



Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Barker, John  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramsdon, T. A.  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buckmaster, Stanley O.  
 Burt, Rt. Hon. Thomas  
 Cameron, Robert  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Clough, William  
 Clynes, J. R.  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Crossley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan (Cardigan)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Foster, Rt. Hon. Sir Walter  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grayson, Albert Victor  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam James (Derbyshire)  
 Haslam, Lewis (Monmouth)

Hazel, Dr. A. E.  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Hyde, Clarendon  
 Jacoby, Sir James Alfred  
 Johnson, John (Gateshead)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, Sir Robert J. (Norfolk, E.)  
 Raphael, Herbert H.

Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)  
 Robertson, Sir G. Scott (Brad'f'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Seddon, J.  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Wadsworth, J.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke-on-Trent)  
 Wardle, George J.  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hn. E. (Clackmannan)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, Hon. G. G. (York)  
 Wilson, Henry J. (York)  
 Wilson, John (Dur')

Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)

Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
 Anson, Sir William Reynell  
 Arkwright, John Stanhope  
 Balcarres, Lord  
 Banbury, Sir Frederick George  
 Beckett, Hon. Gervase  
 Bellairs, Carlyon  
 Bertram, Julius  
 Bottomley, Horatio  
 Bowke, G. Stewart  
 Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Cadell, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Cawston, Major E. F. (Lewisham)  
 Collings, Rt. Hon. J. (Birmingham)  
 Courthope, G. Lloyd  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Fell, Arthur  
 Fletcher, J. S.

Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hardy, Laurence (Kent, Ashford)  
 Harrison-Broadley, H. B.  
 Heaton, John Henniker  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kennaway, Rt. Hon. Sir John H.  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Law, Andrew Bonar (Dulwich)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert

Oddy, John James  
 Pease, Herbert Pike (Darlington)  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Smith, F. E. (Liverpool, Walton)  
 Starkey, John R.  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 White, Patrick (Meath, North)  
 Wilson, A. Stanley (York, E.R.)  
 Wortley, Rt. Hon. C. B. Stuart-  
 Younger, George

TELLERS FOR THE NOES—Mr.  
 Salter and Mr. Lane-Fox.

\*MR. LEIF JONES moved an Amendment substituting the rural parish or urban area within a licensing district for the licensing district as the area in which local option might be exercised. He said the Amendment would make a change in the area over which the local option poll would

Clause 2 unless good reason was shown to the contrary, they should keep to the area which had already been decided upon as the reduction area in Clause 1. Another very great reason for the change which he proposed was that the licensing district in the rural areas were very much too large for the purpose

on poll in regard to new ding to the statistics a Blue-book on licensing using district, apart from ged about 20,000 popula- rea of 40,000 acres, but were very much larger tion and area. For in- rn constituency of North the east ward had an acres, and the west ward In some licensing districts attered population with venty, and even thirty ith regard to new licences , irrational to poll villages miles off on the question there should be a new in a village with which tically nothing to do. village at the extremity district would not under- / should be called upon licensing problem of a

village ten or twenty miles away at the other extremity. There were licensing districts in the neighbourhood of big towns which had an enormous population. Take, for example, the Beacontree Division of Essex, which had a population of 285,892. He had in his possession a list of nineteen or twenty of those large licensing districts with a population of over 75,000. The Edmonton Division had a population of 241,504; Willesden, 182,364; Glamorgan, 159,851; and the Manchester Petty Sessional Division, 163,256. It was obvious that to poll all these people on the question of a new licence at the other end of the division, with which they were very little concerned, was quite an unnecessary process if they accepted the position he took up, namely, that a licence was a matter of local concern affecting only the immediate neighbourhood which it was proposed to serve. His Amendment was of first importance in the case of districts just outside great towns. The Brentford Petty Sessional Division of Middlesex had a total population of 124,000, and some of the parishes embraced in that area were growing whilst others were stationary. Take, for example, Ealing, which in 1901 had a population of 33,031, and an estimated population in 1904 of 39,920; Twickenham, 20,991 in 1901, and an estimated population in 1904 of 24,500. Those were growing districts in the neighbourhood of London to which working men went to escape from public-houses, and it was essential if this clause was going to be any use at all in such districts that his Amendment should be accepted. In the case of Ealing and Twickenham it would be quite sufficient to let the people of those parishes vote in this matter themselves, and not call in places ten or twenty miles away. He wished to point out how the decision in regard to Clause 1 would affect the smaller districts. In most of the parishes of the country there could not be any new licences. In the county of Cumberland, where there were 206 civil parishes, there were only fifty-three in which there could be a new licence under the Bill, because the scale of licences fixed already settled that the other 153 were fully supplied. In the Penrith

licensing district, which contained thirty-eight civil parishes, the question of a new licence could only arise in eight parishes, because thirty of those parishes were already fully supplied, according to the scale of the Bill. Some of the villages were thirty miles apart, and it seemed altogether to defeat the intention of the Government to allow those scattered villages to vote on questions which scarcely concerned them at all. When the late Sir William Harcourt introduced his Bill on this question in 1895, the area chosen by him was practically the same as he was now proposing. Some parishes would probably be too small for that purpose. There were 4,654 parishes with a population of less than 200, and he had figures dealing with those of less than 100, and between 50 and 100, and he quite recognised that it might be desirable to group some of these parishes. Another important point was that the area decided upon now would become the area at the end of the time limit. He had heard the argument used against local veto in this House, that they were likely sometimes to enforce it upon an unwilling population. He could understand that situation arising if they took a very large area. Most of what hon. Members opposite called the fallacies of prohibition very largely arose from the attempt to group together different areas with the result that they might have a large rural population enforcing upon a small urban area a condition of things which the urban area did not desire. That was the experience in the United States in places to which hon. Members had already referred. He agreed that this kind of legislation could not be effective unless they had a strong popular opinion behind it. Reference had already been made to the Blue-book issued by the Foreign Office on the experience of local option in the United States, and this emphasised the importance of having behind local option the influence of the local population. That Report said—

“The tendency of legislation is now to make the unit smaller and smaller. It is endeavoured to ensure that the same public opinion which enacts a law shall also supervise its enforcement.”

On grounds of local convenience, as well as the experience of other countries, it was desirable they should choose the smaller area rather than the larger one.

*Mr. Leif Jones.*

Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hon. J. (Birmingham)  
 Courthope, G. Loyd  
 Craik, Sir Henry  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fell, Arthur  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Grayson, Albert Victor  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashford)

Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hazel, Dr. A. E.  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robertson Paterson  
 Hunt, Rowland  
 Kerry, Earl of  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Long, Col. Charles W. (Evesham)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lupton, Arnold  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Macpherson, J. T.  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Myer, Horatio  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Oddy, John James

Pease, Herbert Pike (Darlington)  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Rendall, Athelstan  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Scott, Sir S. (Marylebone, W.)  
 Staveley-Hill, Henry (Staffs.)  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Summerbell, T.  
 Talbot, Lord E. (Chichester)  
 Thorne, William (West Ham)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Watt, Henry A.  
 White, Patrick (Meath, North)  
 Wortley, Rt. Hon. C. B. Stuart-  
 Younger, George

TELLERS FOR THE AYES—Mr.  
 F. E. Smith and Mr. Salter.

## NOES.

Abraham, William (Cork, N.E.)  
 Abraham, William (Rhondda)  
 Acland, Francis Dyke  
 Agaew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Astbury, John Meir  
 Atherley-Jones, L.  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barlow, Sir John E. (Somerset)  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (Twickenham, S. Geo.)  
 Bethell, Sir J. H. (Essex, Romford)  
 Bethell, T. R. (Essex, Maldon)  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramsdon, T. A.  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burnycat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard

Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (St. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinstead)  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Crooks, William  
 Crossley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan (Cardigan)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dilke, Rt. Hon. Sir Charles  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.

Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred



the Amendment which his hon. friends desired to move to increase the areas. He was not certain whether the Amendment standing in the name of his hon. friend the Member for Sheffield could be brought on at a later stage, and on the point of order he asked the ruling of the Chairman.

THE DEPUTY-CHAIRMAN (Mr. CALDWELL): I will look into it before we reach it.

MR. AKERS-DOUGLAS said that as the Amendment now before the Committee put the question in a way which enabled them to discuss it, he thought they should thoroughly discuss it now rather than take the chance of discussing it on an Amendment which was to come on later and which might be ruled out of order.

THE DEPUTY-CHAIRMAN: The Amendment would be in order.

MR. AKERS-DOUGLAS: I thought so. I think that any decision taken on this Amendment would not rule out the Amendment of my hon. friend the Member for Sheffield. So far as this Amendment is concerned I am certain that hon. Gentlemen behind me will oppose the smaller areas, for we are certain that they would not be in the interest of administration or temperance.

EARL WINTERTON said he understood the Deputy-Chairman to rule that if this Amendment was accepted by the House, the Amendment standing in the name of his hon. friend the Member for Sheffield would not be in order.

THE DEPUTY-CHAIRMAN: I said the very reverse.

SIR SAMUEL EVANS: On the point of order, perhaps it would be better to let that matter stand until we reach the Amendment.

MR. AKERS-DOUGLAS: I would point out that if we were to wait to a  
*Mr. Akers-Douglas.*

later stage, we might be cut out of the opportunity for discussion altogether.]

THE DEPUTY-CHAIRMAN: I think it is inconvenient to give a ruling on the point just now. Hon. Members know that there may be another in the Chair when the Amendment is reached. It is more convenient that the Chairman who is in the Chair when the Amendment is reached should give the ruling.

MR. YOUNGER: May I point out that if the words of the hon. Member's Amendment are put in the Bill restricting the areas, words increasing the areas cannot be moved.

THE DEPUTY-CHAIRMAN: That is the point I have stated. We will deal with the Amendment when it is reached.

EARL WINTERTON: I did not gather, if I may say so, that the decision which has been come to is the decision of the Government. The right hon. Gentleman made use of the pronoun "I" in the course of his speech, and I gathered that he had come to this decision almost on the spur of the moment.

MR. L. HARCOURT: Perhaps it will be for the convenience of the Committee if I tell them that the noble Lord is mistaken.

EARL WINTERTON said he regretted that he had formed a wrong impression. Certainly any impartial listener to the speech would have come to the conclusion that the right hon. Gentleman had made up his mind on the spur of the moment to accept the Amendment. The light-hearted way in which the right hon. Gentleman accepted the Amendment showed that the Government could have given little consideration to the matter. It was a matter of first-rate importance, and under the decision which the Government had come to a most ridiculous state of affairs arose. There were parishes in England which



had only a small number of inhabitants, and under the Amendment the area for exercising local option would be the parish. He did not think that hon. and right hon. Gentlemen opposite really realised the effect the Amendment would have in small parishes. There were parishes six or seven miles long and barely a mile broad, and the effect of the Amendment would be that a man living in the middle would only have to go half a mile north or south to get into an area where there was no local option. To carry out the hon. Gentleman's suggestion logically, it would be necessary to have some kind of *gendarmie* to prevent people from going out of one parish into another. He appealed to the Committee before passing this Amendment to consider the ludicrous position the country would be placed in if the parish area were adopted.

MR. STUART WORTLEY said that morally, if not technically, it would be impossible hereafter to discuss any enlarging Amendment if this one were decided in the affirmative. It was necessary now to say how much they on that side of the House regretted the decision of the right hon. Gentleman. By accepting the Amendment, as they thought with such levity, the right hon. Gentleman had totally ignored the dignity, independence, and the right to be treated as efficient self-governing communities of all the great boroughs of the country. The effect of the Amendment was to make local option between ward and ward in all the great boroughs. He appealed to the right hon. Gentleman to leave to these great boroughs the option of saying for themselves in what way they would regulate this great and important matter in their own areas.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he objected entirely to these small areas. By an Amendment which he had on the Paper he proposed that the area should be that of Quarter Sessions or boroughs with over 25,000 inhabitants. Areas of that kind, he thought, would be much more suitable than the licensing districts which the Government proposed. But

by the Amendment which the Government had accepted the licensing districts were going to be split up into small areas quite unsuitable for the purpose intended. The border difficulty was a real difficulty, and one which was fully appreciated by the right hon. Member for Spen Valley when he waited on the Prime Minister last year. The right hon. Gentleman appreciated the difficulty in regard to Sunday closing, and the same argument exactly applied to local veto. The report of the deputation which waited last December on the present Prime Minister, stated that the right hon. the Member for Spen Valley—

“Pressed the desirability and, indeed, necessity of making legislation on Sunday closing of national application and not leaving it to localities to decide for themselves.”

The Prime Minister asked: “Why should it not be left to localities?” to which the right hon. the Member for Spen Valley replied: “Because the difficulty of drawing a border-line is enormous.” What border-line was he and the hon. Member for Appleby going to draw now? The right hon. Gentleman continued—

“If they were to have opening in the one locality and closing in another, it would lead to deplorable results, as had been the case in Cardiff.”

The area was now to be the ward. It might be a ward densely populated, close together, in a small area in which the division went down the middle of the street, so that there was a border difficulty even as the clause now stood. He was afraid under the procedure that night they would not have an opportunity of discussing this question properly. They who represented county boroughs entirely objected even to wards being made the districts for polling on this important question. He was afraid it was almost too late to ask the right hon. Gentleman to re-consider his decision. It was hardly treating the House fairly for the right hon. Gentleman to accept an Amendment from a prominent Member of his own party on an important question of this kind. The Government ought to have considered it when they were framing their Bill. Representatives

removed and things made to work smoothly by the removal of a licence from one house to another. Clause 22, if passed, would stop all that. It would prevent the justices really considering the needs of the district, for which they were responsible in licensing matters, and would lead to the maintenance of houses no longer required but which would be retained because of the inability to remove the licence to a district where it was required. The hon. and learned Gentleman must have also overlooked the fact that, from the point of view of compensation, Clause 22 would be a very bad thing indeed. If Clause 22 when reached was struck out of the Bill, and some such an Amendment as the one before the House inserted to enable the people to remove a licence from a district where it was no longer required to a locality where it was needed, a great deal of money in the shape of compensation would be saved. He strongly urged the Committee to consider these points before they finally rejected this Amendment.

MR. GRETTON (Rutland) was of opinion that the House did not quite realise what the Bill proposed to do. As he understood it, the Amendment, if passed, would not only prevent the licensing justices moving a licence from one district to another, but from moving it to another place in the same district. It would prevent them removing a licence from one house to another in the same street, or to a better site within a few yards of the old house. Before the Committee voted on this Amendment they should understand that a prohibition of removal went a great deal further than the hon. Gentleman proposed it should go by his Amendment. He understood that the Government was opposed to all removals; this proposal would prevent the removal of a licence already in existence to a more convenient site, even to next door, and therefore he earnestly suggested to hon. Members opposite that they should give the matter a little more consideration before deciding this question.

MR. PATRICK WHITE (Meath, N.) pointed out that what the Committee was asked to do was to say that instead

*Mr. Courthope.*

of extinguishing a licence it should be possible to remove it from a district where it was no longer required to one where it was needed. If the right hon. Gentleman really desired to carry out the intentions of the Bill, he should certainly consider that point.

Question put, and negatived.

\*MR. CLAVELL SALTER said the Amendment he now had the honour to move must be read in conjunction with one lower down on the Paper. The effect would be to restrict the popular veto to saying there should be no increase on the present number, and it would not give them the power which this Bill undoubtedly would of shutting up existing public-houses. There were very cogent reasons to be urged in support of this Amendment. During the reduction period the operation of Clause 2 would not be very important, but during that time it would have one unfortunate operation. There was a transaction very common at the present time at Licensing Sessions which was most convenient. It was a transaction whereby an old-fashioned, ill-placed, and ill-fitted public-house was shut up on condition that a licence should be granted to a new house. If this Amendment were rejected it would not be possible during the reduction period for the justices to sanction an arrangement of that kind, because it would be granting a new licence. The result, if the Amendment were accepted, would be that during the reduction period a large number of old and ill-found houses, which would be much better out of the way, would be kept alive because the justices would feel the hardship of sweeping them out of existence. In the interests of temperance and good order this Amendment was deserving of attention. When they came to the period after the reduction period, this clause would have a very wide effect. By the operation of some majority which was to exceed the bare majority the people would have the power of shutting up every public-house. In any area they could pass a resolution the effect of which would be that at the expiration of the period of the current licences every public-house and every hotel must close its doors unless the licensing commission

were kept on for the purpose of granting licences. Parliament ought to hesitate before they put it into the power of the majority taken on a popular vote to shut up every house of public entertainment in any area. Local option had always been a failure. He also felt very strongly on the point taken by the hon. Member for Bolton. They ought to hesitate before legislating for posterity. They were now going to legislate so that at the end of fourteen years this enormous power was to be the subject of a popular vote. Such an important matter as that should not be legislated for now. It should be left to those responsible for dealing with it when the time came. This Amendment did no more than carry out the original intentions of the Government, and he thought that they never had any intention of giving to popular veto power beyond that of saying that after a certain number there should be no more new licences.

#### Amendment proposed—

"In page 2, line 9, to leave out the words 'the grant of new licences,' and to insert the words 'any increase in the existing number of licences.'"—(*Mr. Clavell Salter.*)

Question proposed, "That the words 'the grant of new' stand part of the Clause."

SIR S. EVANS said that, so far as the object of the Amendment was to clear out undesirable houses, the Government hoped that they would be done away with almost entirely by the procedure of reduction in the fourteen years. But it ran entirely counter to the plan of the Government to allow the magistrates to grant any new licences at all if a prohibitory resolution had been passed. He could quite conceive that it would be most unsatisfactory, in the view of those who passed a prohibitory resolution, that a small house should be put on one side and what was called a gin palace substituted for it. Such a change might be most objectionable to a neighbourhood. Under these circumstances, they would follow the clause as it stood, so that after the passing of a prohibitory resolution a big licensed house could not be put in the place of smaller ones, for a big house might be

much more objectionable to a locality than the smaller ones.

MR. COURTHOPE said he gathered that the expectation which was placed before them was that the result of his hon. and learned friend's Amendment would be that gin palaces would be set up in the place of respectable houses, but surely such cases were likely to be very few and far between. He was certain it would be admitted that the great majority of licensing justices honestly tried to do the best they could for their neighbourhoods, and they welcomed the opportunity whenever they got it, not of setting up gin palaces, but of setting up decent commercial houses, where food could be obtained and consumed in comfort, and not in unfit places, or hovels, such as existed in many parts of the country. If the Government insisted on this clause remaining in its present form they would be absolutely checking the work of one of the greatest temperance agencies that they had at the present time, viz., the work of the public-house trusts and of the refreshment-houses associations, and so forth. If the Amendment of his hon. and learned friend were adopted it would give power to those bodies to continue their excellent work. It would enable the justices to substitute a house for one or two, or even three, inefficient and insufficient houses, as the case might be. He had no hesitation in saying that in refusing an Amendment of this kind the Government were not doing anything for temperance; on the contrary, they were striking a blow at the progress of the temperance movement. He hoped that even now, at the eleventh hour, the Solicitor-General would see his way to changing his mind and accepting the Amendment.

MR. LANE-FOX said the hon. and learned Gentleman the Solicitor-General must recognise the very large number of cases in which the public-house trusts had been able to do a great deal of good by paying the surrender value of badly-ventilated and ill-constructed houses, and setting up in their places useful and desirable refreshment places. The Bill, as drawn, made that in future impossible.

The Solicitor-General must know that in a great many cases, in small market towns, there were a large number of old-fashioned houses which were certainly unsuited to the requirements of the present day, and which could be very easily altered and put into better form. It would be absolutely impossible with the Bill as it stood for buildings of that sort to be erected. He could not expect the Government to accept the Amendment, because, as the hon. and learned Gentleman had said, it was contrary to the principles they had announced to the House, and it would make it impossible for the operation contemplated under the next clause to come into effect. Before they finally dismissed the Amendment, however, he wished to ask what justification the House had for rejecting it. What mandate had the House for saddling upon the country a system under which the prohibitory resolutions could be passed by which absolutely all the public-houses in a place could be taken away, it might not be by a bare majority, but by whatever majority the Government pleased? What hon. Member would dare to go before his constituents and say he was prepared to support a measure of total prohibition of that sort? The speech of the Solicitor-General showed that the Government were just as unwilling to trust the magistrates as in another direction they were unwilling to trust the people, and he thought it only right that the country should be made to realise the direction in which the Bill was going.

MR. A. J. BALFOUR said he should have thought the Government would have taken up a totally different attitude with regard to this Amendment from that they had adopted as expressed by the Solicitor-General, but they had shown themselves absolutely deaf to appeals made to them in the interests of temperance reform upon a basis far more likely to be permanent and to work beneficially in the hands of the people than any of the rather crude prohibitory methods which at present found favour on the Treasury Bench. The principle of the Government Bill was that, when there had been a resolution against a new licence, the resolution should be interpreted to mean actually

not that the number of licences should not be increased, but that there should not in the technical sense be a new licence. That was not the form in which the people of the locality would really give the vote. Nobody would contend that if they had a vote in any of the localities, the people would be thinking of the quality of the public-houses or of the technical grant of a new licence. They would be thinking of the total number of public-houses, and what they would be voting for, and what everybody knew they would be voting for, would be that the number of public-houses should not be increased. His hon. friend suggested that they might concede the real principle the Government had in view, and that they might give to the locality an absolute discretion as to the number of licences, but that they should allow some latitude as to the quality of the licences granted. The hon. and learned Gentleman got up and said that if they did that they might see a gin palace substituted for a good and reputable, although a small, public-house. The hon. and learned Gentleman knew perfectly well that that was not what would happen under the Bill. It was neither the intention of the mover of the Amendment, nor was it what was going to happen in any circumstances. What was going to happen was that agencies which were now moving in the direction of true temperance reform, and were striving to the best of their ability to raise the character of public-houses, would receive a serious blow, deliberately dealt by a Government which professed to have the temperance cause at heart. The hon. and learned Gentleman had not made the smallest answer to the arguments of his hon. friend. The case put was this: If a locality decided that there should be no new licence, what they really meant, and what was always meant, was that there should be no increase in the number of licences; but the Bill made it impossible for any proposal to be made to improve the quality. He thought it was remarkable that a Government which claimed to be promoting temperance legislation should seriously defend a policy of that kind. If the Prime Minister were present to listen to the arguments addressed

*Mr. Lane-Fox.*



from that side of the House, he did not think the Government would be able to adhere to their decision; but he supposed in the present condition of the benches the members of the Government in charge of the Bill were absolved from answering to those arguments, and in those circumstances he did not think his hon. friend had much chance of carrying his Amendment. By the rejection of the Amendment, the Government were dealing a serious blow at one of the great agencies in favour of temperance, and they were doing that for no object whatever except to maintain the verbal integrity of the Bill they had thrown upon the Table of the House.

SIR S. EVANS said they differed from the view of the right hon. Gentleman and thought he was mistaken as he thought they were mistaken. He could only assure him that even if the Prime Minister were present the answer of the Government would be the same. The Government had no notion at all of preventing the improvement of public-houses. It could be effected by the justices now. The right hon. Gentleman said that what people would vote upon was whether there should be an increase in the number of the public-houses in a locality. What he (the hon. Member speaking) said and what he repeated was that what they would vote against was there being any new licence at all. He therefore differed from the right hon. Gentleman in that matter, and he did not say that where a gin palace was substituted for a small house or two small houses it often happened that they had much more facilities for ordinary drinking, because in the old houses they had more room adapted for recreation than in the new house. If the old licence ought not to exist, they hoped it would be done away with; but there was no reason why, if they gave the locality the right to pass prohibitory resolutions they should create a new licence in a different spot.

MR. YOUNGER (Ayr Burghs) said that as a matter of fact licensing magistrates

made it extremely difficult to improve houses in the direction in which they ought to be improved. The hon. Gentleman in his first speech had given what he thought was a very extreme case. It might have been one in his own private practice in which he succeeded in getting a gin palace erected somewhere or other instead of two small licences which were given away for it. If he succeeded in doing so he was to be congratulated on his success, because licensing benches in Scotland, and he believed in England, looked very narrowly indeed at proposals of this kind, and never granted new licences of that sort in return for a surrender unless they were perfectly satisfied that it would be an improvement on the existing condition of things, and that it was a public necessity, and would, to some extent, increase the accommodation in that locality. Why the Government should cut away the power of the licensing magistrates and reduce them to a position of complete nullity in administering the licensing laws it was difficult to say. They spoke with two voices. At one time they did one thing and at another time another. If there was one thing more patent than another it was that this Bill from beginning to end was a hotch-potch. There had been lots of cooks in the preparation of the Bill, and the result had not been particularly successful. Already the Prime Minister had said he required to-morrow to make Clause 3 read with Clause 2. He supposed Clause 2 was drawn by some people and Clause 3 by others. But be that as it might the whole thing was a complete muddle, and before they got to the end of the Bill, goodness knew what would happen to it. Meantime it was impossible, he supposed, to expect that any reasonable Amendment of this kind would be accepted. Having regard to the fact that it was to have such a wide operation at the end of the time-limit period it seemed certainly not very judicious to leave it in its present unsatisfactory position.

Question put.

The Committee divided :—Ayes, 230 ; Noes, 72. (Division List No. 257.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William

Alden, Percy  
Armitage, R.  
Armstrong, W. C. Heaton

Ashton, Thomas Gair  
Astbury, John Meir  
Atherley-Jones, L.



Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Barker, John  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramsdon, T. A.  
 Brigg, John  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buckmaster, Stanley O.  
 Burt, Rt. Hon. Thomas  
 Cameron, Robert  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Clough, William  
 Clynes, J. R.  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Crossley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan (Cardigan)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Foster, Rt. Hon. Sir Walter  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grayson, Albert Victor  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam James (Derbyshire)  
 Haslam, Lewis (Monmouth)

Hazel, Dr. A. E.  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Hyde, Clarendon  
 Jacoby, Sir James Alfred  
 Johnson, John (Gateshead)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, Sir Robert J. (Norfolk, E.)  
 Raphael, Herbert H.

Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)  
 Robertson, Sir G. Scott (Brad'f'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Seddon, J.  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Wadsworth, J.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke-on-Trent)  
 Wardle, George J.  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hn. E. (Clackmannan)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)

Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)

Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
 Anson, Sir William Reynell  
 Arkwright, John Stanhope  
 Balcarres, Lord  
 Banbury, Sir Frederick George  
 Beckett, Hon. Gervase  
 Bellairs, Carlyon  
 Bertram, Julius  
 Bottomley, Horatio  
 Bowles, G. Stewart  
 Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carile, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hon. J. (Birmingham)  
 Courthope, G. Lloyd  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Fell, Arthur  
 Fletcher, J. S.

Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hardy, Laurence (Kent, Ashford)  
 Harrison-Broadley, H. B.  
 Heaton, John Henniker  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kennaway, Rt. Hon. Sir John H.  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Law, Andrew Bonar (Dulwich)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert

Oddy, John James  
 Pease, Herbert Pike (Darlington)  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Smith, F. E. (Liverpool, Walton)  
 Starkey, John R.  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 White, Patrick (Meath, North)  
 Wilson, A. Stanley (York, E. R.)  
 Wortley, Rt. Hon. C. B. Stuart-  
 Younger, George

TELLERS FOR THE NOES—Mr.  
 Salter and Mr. Lane-Fox.

\*MR. LEIF JONES moved an Amendment substituting the rural parish or urban area within a licensing district for the licensing district as the area in which local option might be exercised. He said the Amendment would make a change in the area over which the local option poll would take place. As it stood in the Bill the area of the local option poll in a borough was the borough or, if the borough was divided into wards, the wards of the borough. But in rural districts the local option area was the licensing district, and he proposed to substitute for the licensing district the parish. It seemed to him very inconvenient to have a different area in Clause 1 for reduction purposes from the area which they had in Clause 2 for local option purposes. The whole of the licences under Clause 1 would be considered by the justices. There would be various statistics gathered together and various facts relating to them. The whole licensing situation, so to speak, would be considered from the point of view of the area in Clause 1, the parish in the case of rural districts and the borough or the ward in the case of a borough. Obviously on the face of it it was desirable to keep to the one area if possible, and, therefore, in

Clause 2 unless good reason was shown to the contrary, they should keep to the area which had already been decided upon as the reduction area in Clause 1. Another very great reason for the change which he proposed was that the licensing district in the rural areas were very much too large for the purpose of the local option poll in regard to new licences. According to the statistics contained in the Blue-book on licensing in 1907, the licensing district, apart from boroughs, averaged about 20,000 population, and an area of 40,000 acres, but sometimes they were very much larger both in population and area. For instance, in his own constituency of North Westmoreland, the east ward had an area of 160,000 acres, and the west ward 140,000 acres. In some licensing districts there was a scattered population with villages ten, twenty, and even thirty miles apart. With regard to new licences it seemed almost irrational to poll villages twenty or thirty miles off on the question whether or not there should be a new licence granted in a village with which they had practically nothing to do. The voters in a village at the extremity of the licensing district would not understand why they should be called upon to settle the licensing problem of a

village ten or twenty miles away at the other extremity. There were licensing districts in the neighbourhood of big towns which had an enormous population. Take, for example, the Beacontree Division of Essex, which had a population of 285,892. He had in his possession a list of nineteen or twenty of those large licensing districts with a population of over 75,000. The Edmonton Division had a population of 241,504; Willesden, 182,364; Glamorgan, 159,851; and the Manchester Petty Sessional Division, 163,256. It was obvious that to poll all these people on the question of a new licence at the other end of the division, with which they were very little concerned, was quite an unnecessary process if they accepted the position he took up, namely, that a licence was a matter of local concern affecting only the immediate neighbourhood which it was proposed to serve. His Amendment was of first importance in the case of districts just outside great towns. The Brentford Petty Sessional Division of Middlesex had a total population of 124,000, and some of the parishes embraced in that area were growing whilst others were stationary. Take, for example, Ealing, which in 1901 had a population of 33,031, and an estimated population in 1904 of 39,920; Twickenham, 20,991 in 1901, and an estimated population in 1904 of 24,500. Those were growing districts in the neighbourhood of London to which working men went to escape from public-houses, and it was essential if this clause was going to be any use at all in such districts that his Amendment should be accepted. In the case of Ealing and Twickenham it would be quite sufficient to let the people of those parishes vote in this matter themselves, and not call in places ten or twenty miles away. He wished to point out how the decision in regard to Clause 1 would affect the smaller districts. In most of the parishes of the country there could not be any new licences. In the county of Cumberland, where there were 206 civil parishes, there were only fifty-three in which there could be a new licence under the Bill, because the scale of licences fixed already settled that the other 153 were fully supplied. In the Penrith

licensing district, which contained eight civil parishes, the question of licence could only arise in eight parishes because thirty of those parishes were already fully supplied, according to the scale of the Bill. Some of the villages were thirty miles apart, and it seemed altogether to defeat the intention of the Government to allow those scattered villages to vote on questions which scarcely concerned them at all. When the late Sir William Harcourt introduced his Bill on this question in 1895, the area chosen by him was practically the same as he was now proposing. Some parishes would probably be too small for the purpose. There were 4,654 parishes with a population of less than 200, and his figures dealing with those of less than 100, and between 50 and 100, are quite recognised that it might be desirable to group some of these parishes. An important point was that the area decided upon now would become the area at the end of the time limit. He had heard the argument used against local veto in the House, that they were likely sometimes to enforce it upon an unwilling population. He could understand that situation as it was if they took a very large area. Most of what hon. Members opposite called fallacies of prohibition very largely arose from the attempt to group together different areas with the result that a large rural population might be imposed upon a small urban area a condition of things which the urban area did not desire. That was the experience in the United States in places to which hon. Members had already referred. He agreed that this kind of legislation could not be effective unless they had a strong popular opinion behind it. The Reference had already been made in the Blue-book issued by the Fox Committee on the experience of local option in the United States, and this emphasised the importance of having behind the local option the influence of the local population. That Report said—

“The tendency of legislation is now to make the unit smaller and smaller. It is endeavoured to ensure that the same public opinion which enacts a law shall also supervise its enforcement.”

On grounds of local convenience, as well as the experience of other countries, it was desirable they should choose the smaller area rather than the larger one.

*Mr. Leif Jones.*

## Amendment proposed—

"In page 2, line 10, after the word 'in,' to insert the words 'any rural parish or urban area within.'"—(*Mr. Leif Jones.*)

Question proposed, "That those words be there inserted."

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rosendale) congratulated the hon. Member upon the very able and moderate statement he had made in moving this Amendment. This point could not be a question of party contention, because precisely the same Amendment was down on the Paper in the name of an hon. Member opposite. This was not a question of principle at all, but a question of machinery and of local convenience. There had never been any doubt in his mind that the licensing districts, taken as a whole, must in many cases be too large, and that it would have been inevitable to have divided some or perhaps many of the larger licensing districts. Obviously it was inconvenient to bring the voting influence of a somewhat distant parish or town to bear upon another parish which might reasonably wish to prevent an increase of licences in their locality. He thought it would be unwise to put these localities to the trouble of voting on such a matter. The hon. Member had referred to the Bill of 1895, which took practically the same words as he had moved. As he had already said, if licensing districts were to be adhered to, it would mean that there would have to be in a large number of cases sub-divisions of those districts. He had come to the conclusion that it would be better to take the words of the hon. Member and adopt the rural, parish, or urban area. He therefore accepted the words of the Amendment, but with the proviso that probably on the Report stage it might be necessary to change the words in order to make the proposal applicable to the Bill. While he would not change the sense of the Amendment he desired to reserve the right he had mentioned. It might be necessary and desirable in the case of very small parishes to arrive at some method of grouping such as was suggested in the Bill of 1895.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) confessed that he was astonished at the acceptance of the Amendment by the Government. The hon. Member for the Appleby division had put forward a strong plea for small areas. On the question of areas he was prepared to support an Amendment on the Paper in the names of some hon. Members behind him. The right hon. Gentleman had stated that there were certain large areas, but he entirely ignored the much greater preponderance of small parishes. The right hon. Gentleman had indicated the opinion which he held in regard to the Amendment, and stated that on the Report stage he might change the words to make them applicable to the Bill. Perhaps by that time he or the Prime Minister would have on the Paper some Amendment which would show how the Government proposed to deal with small parishes. In passing he wished to say that he thought it would have been better if the promised Amendment had been put on the Paper on Clause 2 instead of having to wait for Clause 3 or some future clause in the Bill. He himself certainly professed to know more about the country districts than the urban districts, and he thought the inconvenience in country districts would be extremely great. They were not giving local option in the clause. It would be simply local veto, and it would have the effect of driving all the drinking population into one small area. The Government were going to accept this proposal to put all over England the same difficulty in the way of all the small parishes. He was sure that that would not be acceptable to the majority of the inhabitants in the country districts. Judging from the Amendment which they had discussed, and from the speech of the Solicitor-General, the Government were thinking only of certain urban districts. They were afraid of closing unnecessary houses in case gin palaces might be opened. They forgot that the same rule did not apply to country districts. Unless they were going to group areas up to 10,000 or 20,000, he thought the policy which the Government had decided upon would be of a very disastrous kind. He had no doubt that the question would receive great consideration on this Amendment and on



the Amendment which his hon. friends desired to move to increase the areas. He was not certain whether the Amendment standing in the name of his hon. friend the Member for Sheffield could be brought on at a later stage, and on the point of order he asked the ruling of the Chairman.

THE DEPUTY-CHAIRMAN (Mr. CALDWELL): I will look into it before we reach it.

MR. AKERS-DOUGLAS said that as the Amendment now before the Committee put the question in a way which enabled them to discuss it, he thought they should thoroughly discuss it now rather than take the chance of discussing it on an Amendment which was to come on later and which might be ruled out of order.

THE DEPUTY-CHAIRMAN: The Amendment would be in order.

MR. AKERS-DOUGLAS: I thought so. I think that any decision taken on this Amendment would not rule out the Amendment of my hon. friend the Member for Sheffield. So far as this Amendment is concerned I am certain that hon. Gentlemen behind me will oppose the smaller areas, for we are certain that they would not be in the interest of administration or temperance.

EARL WINTERTON said he understood the Deputy-Chairman to rule that if this Amendment was accepted by the House, the Amendment standing in the name of his hon. friend the Member for Sheffield would not be in order.

THE DEPUTY-CHAIRMAN: I said the very reverse.

SIR SAMUEL EVANS: On the point of order, perhaps it would be better to let that matter stand until we reach the Amendment.

MR. AKERS-DOUGLAS: I would point out that if we were to wait to a  
*Mr. Akers-Douglas.*

later stage, we might be cut out of opportunity for discussion altogether.

THE DEPUTY-CHAIRMAN: It is inconvenient to give a ruling on point just now. Hon. Members that there may be another in the when the Amendment is reached is more convenient that the Chair who is in the Chair when the Amendment is reached should give the ruling.

MR. YOUNGER: May I point out that if the words of the hon. Member for Sheffield Amendment are put in the Bill restricting the areas, words increasing areas cannot be moved.

THE DEPUTY-CHAIRMAN: That is the point I have stated. We will deal with the Amendment when it is reached.

EARL WINTERTON: I gathered, if I may say so, that the decision which has been come to is the decision of the Government. The right hon. Gentleman made use of the "I" in the course of his speech gathered that he had come to a decision almost on the spur of the moment.

MR. L. HARCOURT: Perhaps it would be for the convenience of the Committee if I tell them that the noble Lord is mistaken.

EARL WINTERTON said he was sorry that he had formed a wrong impression. Certainly any impartial listener to his speech would have come to the conclusion that the right hon. Gentleman made up his mind on the spot at the moment to accept the Amendment. The light-hearted way in which the right hon. Gentleman accepted the Amendment showed that the Government could have given little consideration to the matter. It was a matter of great importance, and under the circumstances in which the Government had placed it, a most ridiculous state of affairs. There were parishes in Eng-



had only a small number of inhabitants, and under the Amendment the area for exercising local option would be the parish. He did not think that hon. and right hon. Gentlemen opposite really realised the effect the Amendment would have in small parishes. There were parishes six or seven miles long and barely a mile broad, and the effect of the Amendment would be that a man living in the middle would only have to go half a mile north or south to get into an area where there was no local option. To carry out the hon. Gentleman's suggestion logically, it would be necessary to have some kind of *gendarmie* to prevent people from going out of one parish into another. He appealed to the Committee before passing this Amendment to consider the ludicrous position the country would be placed in if the parish area were adopted.

MR. STUART WORTLEY said that morally, if not technically, it would be impossible hereafter to discuss any enlarging Amendment if this one were decided in the affirmative. It was necessary now to say how much they on that side of the House regretted the decision of the right hon. Gentleman. By accepting the Amendment, as they thought with such levity, the right hon. Gentleman had totally ignored the dignity, independence, and the right to be treated as efficient self-governing communities of all the great boroughs of the country. The effect of the Amendment was to make local option between ward and ward in all the great boroughs. He appealed to the right hon. Gentleman to leave to these great boroughs the option of saying for themselves in what way they would regulate this great and important matter in their own areas.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he objected entirely to these small areas. By an Amendment which he had on the Paper he proposed that the area should be that of Quarter Sessions or boroughs with over 25,000 inhabitants. Areas of that kind, he thought, would be much more suitable than the licensing districts which the Government proposed. But

by the Amendment which the Government had accepted the licensing districts were going to be split up into small areas quite unsuitable for the purpose intended. The border difficulty was a real difficulty, and one which was fully appreciated by the right hon. Member for Spen Valley when he waited on the Prime Minister last year. The right hon. Gentleman appreciated the difficulty in regard to Sunday closing, and the same argument exactly applied to local veto. The report of the deputation which waited last December on the present Prime Minister, stated that the right hon. the Member for Spen Valley—

“Pressed the desirability and, indeed, necessity of making legislation on Sunday closing of national application and not leaving it to localities to decide for themselves.”

The Prime Minister asked: “Why should it not be left to localities?” to which the right hon. the Member for Spen Valley replied: “Because the difficulty of drawing a border-line is enormous.” What border-line was he and the hon. Member for Appleby going to draw now? The right hon. Gentleman continued—

“If they were to have opening in the one locality and closing in another, it would lead to deplorable results, as had been the case in Cardiff.”

The area was now to be the ward. It might be a ward densely populated, close together, in a small area in which the division went down the middle of the street, so that there was a border difficulty even as the clause now stood. He was afraid under the procedure that night they would not have an opportunity of discussing this question properly. They who represented county boroughs entirely objected even to wards being made the districts for polling on this important question. He was afraid it was almost too late to ask the right hon. Gentleman to re-consider his decision. It was hardly treating the House fairly for the right hon. Gentleman to accept an Amendment from a prominent Member of his own party on an important question of this kind. The Government ought to have considered it when they were framing their Bill. Representatives

of the county boroughs could only enter their protest as he now did on their behalf.

MR. DICKINSON (St. Pancras, N.) said that from the point of view of London, he heartily welcomed the assent of the Government to this Amendment. The Bill, as drafted, proposed that the local option area should be the licensing district, but in London the licensing districts were very large—the one he represented contained half a million individuals—and the proposal, therefore, was, so far as London was concerned, wholly inefficient and impracticable. He would be glad to learn from the First Commissioner of Works whether or not the local option areas in London would be the wards of the Metropolitan boroughs in the same way as he proposed for the other boroughs in the country.

MR. BONAR LAW (Camberwell, Dulwich) said that the hon. Gentleman supported the Amendment accepted by the Government for the very good reason that he was not thoroughly satisfied with the Bill as it stood, and that any change would be for the better from his point of view. His hon. friend had expressed surprise that the Government had accepted this Amendment, and he evidently misunderstood the speech of the First Commissioner of Works. As he understood it, what the right hon. Gentleman intended to do was to throw another small sop to the extreme section of the Party behind him, and of course the value of the compliment was greatly increased by the statement that he had been greatly impressed with the arguments brought forward by the hon. Member for Appleby. There was nothing whatever surprising in the Amendment considering the direction from which it came, or in the Government's adopting it. It was natural that the hon. Member who moved it should wish the area to be small. He knew that if they made the area a large one, the chance of finding a sufficient number of faddists to put local option into operation was extremely small; and he knew, on the other hand, that the smaller the area the better the

chance there would be of finding a few gentlemen who held the views he ably represented, and of seeing local option adopted. The action of the right hon. Gentleman, and the attitude of the Government to the Amendment had placed the Committee in an almost ludicrous position—in a position exactly the same as they were in earlier in the afternoon. The Prime Minister deliberately set aside one whole day to discuss the principle of local option. They came to discuss it, and found that what they were discussing was not the principle of a local option which was often to be applied, but the principle of a local option which was only to be put into effect in regard to cases which would never happen, or which were so few in the total that there was not a single one in the Committee who cared whether they were discussed or not. The subject of local option, the subject they were to discuss the whole day, was locked up in the bosom of His Majesty's Government and nothing would induce them to discuss the Committee what that principle was. The right hon. Gentleman opposed the Amendment up the same attitude toward the particular proposal. They were to discuss the area, but what the area was to be was sacred to the Government. The House of Commons had been adjourned to a good deal of closure of business, but they had reached a stage to which had never been reached before. They were discussing for the first time as a practical proposal a system of local option. Local option had been discussed previously academically in a Bill, or on a private Member's motion, but here was a system of local option which was to be put into operation. The right hon. Gentleman was to discuss them later on. In the meantime they were to decide what the area was to be, to which this local option was to be applied without the smallest knowledge of what it was to be, except that it was to be the area in the Bill as it was framed. They were given no opportunity to stand that there was to be a local option, but what the nature of the

*Mr. Samuel Roberts.*

was to be they did not know. He was perfectly certain that the right hon. Gentleman did not tell them about the grouping, for the very good reason that probably he did not know.

MR. L. HARCOURT said that he only rose in order to explain to the hon. Gentleman that he had quite distinctly stated that he had accepted on behalf of the Government the rural parish or the urban area in the words of the Amendment, and he only suggested that it might possibly be necessary, at a later stage, to effect some grouping for the convenience of the smaller parishes. He wished to make it clear to his hon. friend the Member for North St. Pancras that the Amendment which he had foreshadowed would probably be necessary on the Report stage in order to carry out his hon. friend's intention, and would make it perfectly clear that, as regarded London, they would adopt the areas of the wards of the Metropolitan boroughs.

\*MR. REMNANT (Finsbury, Holborn) asked whether the right hon. Gentleman had in mind the definition of a suburban area which was inserted in Clause 1, subsection 1, by the Home Secretary, under the Closure, without any discussion whatever. It declared that for the purpose of a definition of an urban area, a Metropolitan borough should be deemed to be a borough, and, where part of a ward of a borough or urban district was situated in one licensing district and part in another, each such part of the ward should be treated as part of the ward with which it had the longest common boundary in the same licensing district. That had surely escaped the notice of the hon. Member for St. Pancras. He would like to know how the Government who had accepted the Amendment intended to deal with a Metropolitan borough under such Amendment.

MR. JOHN WARD said the hon. Gentleman the Member for Dulwich had spoken of the proposal which was before the House as most ridiculous and as one which could have been fashioned only in the brain of a teetotal fanatic, yet the same Amendment

appeared on the Order Paper in the name of one of the hon. Gentleman's colleagues.

MR. BONAR LAW said that what he spoke of as fanaticism was the idea of the possibility of local option being adopted.

MR. JOHN WARD said there was not the slightest doubt that what the hon. Member was discussing was the Amendment, and that Amendment which he described as absurd would have been moved by one of the hon. Gentleman's colleagues but for the accident of his absence from the House at the moment. That was a fairly good estimate of the whole of the speech to which they had listened. He was interested in this question as it applied to London, and he thought it would be a great mistake if the wards of the different boroughs of London were to be taken as the areas for deciding under this clause of the Bill. Take, for instance, a district which he knew perfectly well—Wandsworth—as an illustration. Here was the old parish of Wandsworth split up into four wards, and if they were going to have one ward on one side of the street declaring in favour of vetoing of licences and another on the other side declaring in the opposite direction there would be considerable confusion, and he thought the right hon. Gentleman had found that he would have to make some special arrangement in regard to London. At least he was going to vote in favour of the Amendment on the promise that this would be reconsidered on the Report stage.

\*MR. CAVE said he did not understand how the hon. Member was going to vote for the Amendment after the speech which he had delivered, because the argument which he had put forward with regard to London boroughs was exactly the argument which appeared vital to the Opposition with regard to other areas. If a small parish were made the voting area, and it decided in favour of prohibition, those residents in that parish who wished to obtain drink would go outside in order to get it, and this legislation would be entirely ineffective. There were three objections to the

Amendment. First, if the matter was to be determined by a popular vote the larger the number the more likely it was to be right, and therefore they ought to appeal not to the little population of a small parish but to a larger population. They had it from the First Commissioner of Works that they must take the parish as the area. That was to say, 200 or 300 people representing perhaps 50 or 60 houses were going to decide for all the inhabitants of that place. It was quite possible in a place like that to get a number of people with strong opinions—faddists—to vote for prohibition, but if they appealed to a large area the possibilities of getting an impartial decision were much more hopeful. Secondly, if they appealed to a large area they did not get the personal interest which they had in a smaller place, and it was undoubtedly true that in a small parish personal interest might affect the vote. If they could provide that only those interested could vote, they reduced the area very much, but that was not the plan of the Government; they were going to give the vote to people who had no interest whatever in the matter. Thirdly, there was the border difficulty to which he had referred, and which would be enormously increased by this Amendment. Therefore, he thought they were right in upholding the view that the larger the area the better.

VISCOUNT HELMSLEY said that, having an Amendment on the Paper in order to increase the area, he felt he should like to say a few words about this Amendment which had been accepted by the right hon. Gentleman. He thought the effect of the clause would be even worse in rural parishes than in urban districts, especially as regards the boundary question. If a prohibitory resolution were passed by a bare majority

in a small parish, he would like the House to picture to itself the friction and dismay which would occur. A minority would know who had carried the resolution against them, and there would be very little friendship and good feeling in that parish for a long time afterwards. The border difficulty would be increased in exactly the proportion by which the voting areas were decreased in size. If the area was small, they promptly brought into play competitive forces between various parishes, and there might arise a position in which a publican might vote for prohibition in one part of the area because prohibition there would increase his trade at a house on the other side of the boundary. That seemed to him to reduce this vote to a greater absurdity than it was in the Government Bill when introduced. He could not imagine what had induced the Government to accept the Amendment, certainly was far from being an improvement on the original clause. From the experience in every country where a local veto had been tried, it had no chance of working successfully except in a large area, and in proportion to the reduction in the area the plan was less successful. The Government had given no solution of the border difficulty. In a small parish fanatics might put prohibition into operation with gross unfairness, the larger the area was the more it would be for those fanatics to carry their way. The Government had introduced an Amendment which would be unfair in its application, and was very far from being an improvement on the original clause.

Question put.

The Committee divided :—  
Noes, 108. (Division List No

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armitage, R.  
Armstrong, W. C. Heaton

Ashton, Thomas Gair  
Astbury, John Meir  
Atherley-Jones, L.  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sir John E. (Somerset)  
Barran, Rowland Hirst

Barry, Redmond  
Beauchamp, E.  
Beck, A. Cecil  
Bell, Richard  
Benn, W. (T'w'rr)  
Bennett, E. N.  
Bethell, Sir J. H.  
Bethell, T. R. (E)

*Mr. Cave.*



Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramadon, T. A.  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Beckmaster, Stanley O.  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Sir Wm. J. (S. Pancras, W)  
 Cooper, G. J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cary, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Crooks, William  
 Cressley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan-(Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S)  
 Dickinson, W. H. (St. Pancras, N)  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Eusmont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn Herbert John  
 Glas-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Gridard, Sir Daniel Ford  
 Gough, George Peabody (Bath)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Gulland, John W.  
 Gordon, Rt. Hn Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale  
 Harcourt, Robert V. (Montrose)  
 Hardy, George A. (Suffolk)  
 Harnsworth, Cecil B. (Worc'r.)  
 Harnsworth, R. L. (Caithn'ss-sh  
 Harvey, A. G. C. (Rochdale)

Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hodge, John  
 Holden, E. Hopkinson  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Johnson, John (Gateshead)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Leese, Sir Joseph F (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. Stafford, W.)  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morse, L. L.  
 Murray, Capt. Hn A. C. (Kincard.  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r  
 Norton, Capt. Cecil William

Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Perks, Sir Robert William  
 Pickersgill, Edward Hare  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Redmond, William (Clare)  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th  
 Richardson, A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Seddon, J.  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, Sir Edward (Salisbury)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Villiers, Ernest Amherst



Vivian, Henry  
Wadsworth, J.  
Walker, H. De R. (Leicester)  
Walsh, Stephen  
Walters, John Tudor  
Walton, Joseph  
Ward, John (Stoke upon Trent)  
Wardle, George J.  
Waring, Walter  
Wason, Rt. Hn. E (Clackmannan)  
Waterlow, D. S.  
Watt, Henry A.

White, Sir George (Norfolk)  
White, J. D. (Dumbartonshire)  
White, Luke (York, E. R.)  
Whitehead, Rowland  
Whitley, John Henry (Halifax)  
Whittaker, Rt Hn. Sir Thomas P.  
Wiles, Thomas  
Williams, J. (Glamorgan)  
Williams, Llewelyn (Carmarthen)  
Williams, Osmond (Merioneth)  
Williamson, A.  
Wilson, Hon. G. G. (Hull, W.)

Wilson, Henry J. (York, W.)  
Wilson, John (Durham, Mid)  
Wilson, J. H. (Middlesbrough)  
Wilson, J. W. (Worcestershire)  
Wilson, P. W. (St. Pancras)  
Wilson, W. T. (Westhoughton)  
Winfrey, R.  
Yoxall, James Henry

TELLERS FOR THE AYES—  
Joseph Pease and Master  
Elibank.

## NOES.

Anson, Sir William Reynell  
Arkwright, John Stanhope  
Balcarres, Lord  
Banbury, Sir Frederick George  
Barnard, E. B.  
Barrie, H. T. (Londonderry, N.)  
Beach, Hn. Michael Hugh Hicks  
Beckett, Hon. Gervase  
Bellairs, Carlyon  
Bertram, Julius  
Bignold, Sir Arthur  
Bottomley, Horatio  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Bull, Sir William James  
Butcher, Samuel Henry  
Carlile, E. Hildred  
Castlereagh, Viscount  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord John P. Joicey-  
Chamberlain, Rt Hn. J. A. (Worcester)  
Coates, Major E. F. (Lewisham)  
Collings, Rt. Hn. J. (Birmingham)  
Courthope, G. Loyd  
Craik, Sir Henry  
Dixon-Hartland, Sir Fred Dixon  
Doughty, Sir George  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Faber, George Denison (York)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.  
Forster, Henry William

Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Gooch, Henry Cubitt (Peckham)  
Goulding, Edward Alfred  
Gretton, John  
Guinness, Hon. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Haddock, George B.  
Hardy, Laurence (Kent, Ashford)  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Heaton, John Henniker  
Helmsley, Viscount  
Hill, Sir Clement  
Hills, J. W.  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Kennaway, Rt. Hon. Sir John H.  
Kerry, Earl of  
Keswick, William  
Kimber, Sir Henry  
King, Sir Henry Seymour (Hull)  
Lambton, Hon. Frederick Wm.  
Lane-Fox, G. R.  
Law, Andrew Bonar (Dulwich)  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Lowe, Sir Francis William  
Lyttelton, Rt. Hon. Alfred  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
Magnus, Sir Philip  
Marks, H. H. (Kent)  
Mason, A. E. W. (Coventry)  
Mason, James F. (Windsor)  
Meysey-Thompson, E. C.  
Mildmay, Francis Bingham  
Nicholson, Wm. G. (Petersfield)

Nield, Herbert  
Oddy, John James  
Parker, Sir Gilbert (Grays)  
Pease, Herbert Pike (Darlington)  
Randles, Sir John Scurry  
Ratcliff, Major R. F.  
Rawlinson, John Frederick  
Remnant, James Farquhar  
Renwick, George  
Ridsdale, E. A.  
Roberts, S. (Sheffield, Eccles)  
Ronaldshay, Earl of  
Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell  
Scott, Sir S. (Marylebone)  
Smith, F. E. (Liverpool)  
Smith, Hon. W. F. D.  
Starkey, John R.  
Staveley-Hill, Henry (Leeds)  
Stone, Sir Benjamin  
Strauss, E. A. (Abingdon)  
Talbot, Lord E. (Chichester)  
Thornton, Percy M.  
Walker, Col. W. H. (Leeds)  
Warde, Col. C. E. (Kent)  
Warner, Thomas Couper  
White, Patrick (Meath)  
Wilson, A. Stanley (York)  
Winterton, Earl  
Wortley, Rt. Hon. G.  
Younger, George

TELLERS FOR THE NOES—  
Alexander Acland  
Viscount Valentia

\*MR. STUART WORTLEY said he desired to move an Amendment which was in manuscript. He apologised for not having put it on the Paper, but the House would appreciate why. Some Members had been taken completely by surprise, and had been somewhat embarrassed by the unexpected acceptance of the last Amendment by the Government. He rose to insert in line 11 after the words "licensing districts" the

words "or in any large borough by Section 15 of this Act." It unnecessary to enlarge upon the enormous claims which the Government had upon the consideration of the House owing to their unrivalled organisation with regard to the Act within the borough. The Amendment, if accepted, should lead to a Amendment which should be inserted within their own boundaries.

boroughs themselves should settle what should be the local veto area. He submitted to hon. Members on both sides of the House that no one could organise these important powers so satisfactorily as the great boroughs. That being so, he begged to move.

**Amendment proposed—**

"In line 11, after the word 'district,' to insert the words 'or in any large borough as defined in Section 15 of this Act.'"—(Mr. Stuart Wortley.)

**Question proposed, "That those words be there inserted."**

SIR S. EVANS said the right hon. Gentleman had no right to suggest that by reason of the acceptance of the previous Amendment the Committee had been placed in an embarrassing position. On the merits of the right hon. Gentleman's proposal he could only say that the decision which the Committee had just taken was exactly contrary to the principle of this Amendment, because the Government had made it clear that after gravely considering the matter, after giving consideration to the difficulties of boundary and to the question of homogeneity of population, the licensing district as such was too large an area for the purpose of giving effect to the desires of the people who were really affected.

MR. FELL (Great Yarmouth), as representing one of the large boroughs, urged upon the Committee the necessity of accepting the Amendment. He thought temperance was the object of this Bill. It was quite certain that no borough would be able to carry a vote of prohibition in every one of the wards, and therefore the position would be that some wards would be favoured, if it was considered to be a favour to have

the power of drinking, and that others would be damaged. He had himself seen a case in America where prohibition was in force in one district, and not in another on the opposite side of a river. What was the result? When the river was crossed it was found that the first twelve houses in that district were licensed houses. The same might be said in this country, where one ward might be called, as they were called in America, a "dry ward," and the other a "wet ward." Was it desirable that such terms should be applied to boroughs in this country? It was too preposterous to suggest that it would be convenient to have all the public-houses in one borough closed and in another borough open. The suggestion of the Government was perfectly preposterous, and he should certainly show it up in the country on every possible chance.

\*MR. G. D. FABER thought that if they wanted to get a true expression of opinion on prohibition, the larger the area the better. They would get a real opinion if they had a large area, whereas, if they had an infinitesimal area, they would have nothing but faddists at work and never get a real expression of opinion at all. A large area would also give them a truer test of the value of prohibition. York, the constituency he represented, was divided into wards, but if he wanted to test prohibition there—it was really the last thing he wanted—he should certainly have it over the whole of York and take a vote of the whole of York upon it. He would not cut the city up into wards. He would thus get a true expression of the opinion of York; and, if prohibition did promote temperance, it would be much better to have.

it operative throughout the whole area of the city than to separate the wards and have it in operation only in some of them. A prohibition resolution might be passed in one only of the six wards of York. A man would then merely have to walk 200 yards out of one ward into another. How was prohibition to be effective under such a system? If the hon. Member for Westmoreland desired prohibition to be effective, he was going a very funny way to make it so. They were certainly not going to promote temperance by cutting large boroughs up into all these districts: just the reverse. They were going to reduce the working of the clause to a farce. If he were in favour of drinking and not in favour of temperance, he would advise making the areas as small as possible, because then prohibition would become farcical. He could not understand why the First Commissioner of Works ever accepted the Amendment. He did not know whether the Government were going to be rather harder on the temperance party as the Bill went on and that, therefore, it was better at this stage to throw them a little sop; but, so far as they had gone, the Nonconformist tail was wagging the dog, and he was sorry for it.

MR. AUSTEN CHAMBERLAIN said he was quite unable to follow the reasoning which had led the Government to their decision. He understood the view of the Government was that by diminishing the facilities for drinking, or by removing them altogether, they would reduce drunkenness. He would accept that view for the moment; but if it were to be tried with any reasonable prospect of success, they must make

*Mr. G. D. Faber.*

their area of such a size that it was easy for anyone within a prohibited area to evade the restrictions of the Act by going just outside that area. That argument pointed to the necessity of having large areas in which the prohibition would be taken. He ventured to say that where they could show even a colourable success of prohibition by local option it was always in areas where the population was considerable, and where the population had little opportunity only at long intervals of going outside that area into a place where drink was to be obtained. It was well known that in certain densely populated districts in America men could for long periods make money by prohibition, but men who were thus compulsorily made sober by the action of Parliament took their revenge from time to time they went to a neighbouring city by spending their earnings of three or six months in a wild debauch of three or six weeks. They could not, however, apply even a temporary success to a case where a man would only have to go a short distance in order to get into an area where the sale of drink was freely permitted. It was possible that by taking a small area as the ordinary parish they might sometime be able to give them some success, but not a very hopeful one, of the efficacy of the Bill; but, if they separated the wards of towns separately, what chance had they?

MR. LEIF JONES: Then what chance had they?

MR. AUSTEN CHAMBERLAIN said that the hon. Member if he thought prohibition helped his case. The hon.

thought that if he was able to show that the Bill did not help temperance he might not object to its passing, but he wholly misconceived his position. He was not so clamorous as the hon. Member and he was not so intemperate in his views upon temperance, but he thought he had as great a dislike of the disgusting vice of intemperance, and, if they were to deal with the licensing question, he earnestly desired that they should make some progress in checking what was an admitted evil, and, if by the courtesy and rules of the House he was permitted to intervene in the debate, his object would be to make the Bill more suitable to bring about temperance reform than it existed at present. If they took ward areas in towns, they would reduce any prospect of the successful working of local option to an absolute farce. On one side of the street a man would be forbidden to buy or to sell drink, whilst on the other they might have houses, limited in number and accommodation, which were crowded. They would not check the demand for drink in the prohibited areas, and they would not check in any material degree the obtaining of drink by those who lived in them, but they would produce over-crowding and other evils in immediately neighbouring districts. Whilst producing those evils, they could not pretend that they would in any way serve the cause of temperance. He had heard much from American friends and knew something from his own experience of what went on in small urban areas in America where prohibition was enforced. He was once challenged at a public meeting to give his own personal experience in America. He accepted the challenge and answered in a sentence. He had been in these

prohibited areas, and he got liquor without any difficulty in all of them. That was what would happen in this country if they proceeded with legislation of this kind against the general sense of the majority of reasonable people. In our great towns certain wards presented very special features. There were central wards which had a population in the day time who had to be provided with mid-day meals. The day population was wholly disproportionate to the electoral roll or to the night population, but they were putting it in the power of the night population of those central wards, or of such electors as happened to be on the register for them, to decide whether or not the day population should have any facilities for obtaining wine or any alcoholic refreshment for their mid-day meal. Was not that a ludicrous proposal? Had there been any explanation of it by the Government or one word of justification for its adoption? He was utterly unable to follow the reasoning of the Government on the question. If they wished to reduce their proposals to a nullity and make local option a farce they could not have taken a better course.

MR. HERBERT ROBERTS (Denbighshire, W.) said that perhaps he might be allowed to express his own experience, drawn from action for which he was largely responsible in the City of Liverpool. Very large tracts of Liverpool had come under the principle of prohibition. His own experience and the experience of those who had gone before him demonstrated the fact that the imposition of prohibitory restrictions over large areas in towns had not only operated to the general advantage of those districts, but had not in any way

led to the results in surrounding districts at which the right hon. Gentleman had hinted. In his experience, what had been done in prohibitory areas had been welcomed by all who lived in them, and he had never seen protests of any kind by residents. He felt certain that if this provision were carried out it would lead, not only to the great advantage of the rural districts, but to the great advantage of city life. No doubt the imposition of this restriction in single wards would eventually lead to a general policy being adopted, and he felt certain experience of the past would not be belied.

\*MR. WALTER GUINNESS (Bury St. Edmunds) hoped the Amendment would be adopted, because it would reduce the absurdity to which the House was committed by the last Amendment which had been passed. The Bill was justified on many grounds. He believed its chief justification in the eyes of hon. Members opposite was that they thought it was going to do a great deal of harm to the owners of licensed premises, but they did not always like to avow that. Sometimes they pretended that it was going to reduce the amount of drunkenness in the country. The Amendment which was last carried would undoubtedly enormously increase the facilities for drunkenness in comparison with the proposal of the Government as originally put down in the Bill, because it was surely far easier for an individual who wanted to get drunk to go over the boundary if the boundary was only situated a short distance from his own door, than if the area was much larger and he had to take a six mile walk before he could procure anything to drink. It was quite possible that even

under the last Amendment in some cases in a large scattered country parish where prohibition is put into force a man might find it difficult to get a public-house, but it was obvious on the face of it that that difficulty would be entirely done away with in a borough, because in a borough the distances were far smaller, and would always be easy for a man who happened to live in a district where there was prohibition to go over the boundary and get a drink somewhere else. He did not think this would decrease drinking in the least; it would increase it, and for a very simple reason. It was a known fact that people tended to get drunk far more if they were gathered together in large numbers. It was the experience of a great many countries that there was less drunkenness where everybody privately was allowed to sell drink. In the experience of countries in the north of Europe where they drank beer. Where they only got two or three people gathered together in a room they soon gave up treating each other. They had as much as they wanted to drink and went away, but if they got hundreds of people gathered together in a small inconvenient public-house they were much more likely to get drunk than if they spread, what hon. Members opposite considered a nuisance, indiscriminately over the whole district. He thought this particular proposal was simply a piece of Puritanical cant, and he objected to it the more because in this case he did not think it was hypocrisy. It was Puritanical cant at the taxpayers' expense. If this drinking was a nuisance it was only fair that the district should suffer for it. It was to concentrate the whole of the nuisance on their neighbours. Let them

*Mr. Herbert Roberts.*



also of the difficulty of police supervision. They were going to concentrate the whole of the drinking perhaps in the small area of a town. They would have to increase the police in that area, and it would be far more difficult because the police might be able to cope with one drunkard in every street, but it was very difficult if they were going to concentrate twenty drunkards in a single street. It seemed to him that this proposal to which the House had partly committed itself was to upset the whole principle of the Bill, because they had laid it down in the First Schedule that they were going to place the public-houses according to the number of population to the acre. But now they would have to place the public-houses, if they were going on any logical principle at all, not according to the number of population per acre in that particular ward or licensing area, but according to the number of people who were compelled to flock into that restricted area by the prohibition restrictions which were enforced all round, and it seemed to him that this system would strike at the whole principle of the Bill. The real truth of the matter was that the hon. Member who brought forward the resolution was anxious to get prohibition on any terms. He supposed he would like to be able to tell his constituents that he had got it, but it was quite obvious that prohibition would, from the temperance point of view, be quite ineffective, and it would not carry out the function which it would have carried out if the Government had stuck to their original proposal. They, no doubt, wanted these smaller districts because it would be easier to get an extreme expression of opinion among a few people than if they trusted to the common sense of a large district where

they could get an average opinion. He strongly objected to the extension of these small areas because it was only another case of the tendency which the Government had already shown of loading the dice against those who showed any signs of disagreement.

MR. STUART WORTLEY said he was struck with the extraordinarily small amount of reply that there was on the merits of this Amendment. The official reply was that the House was practically prejudiced in its discretion by the decision which was arrived at on the previous Amendment. Nothing of the kind was the case. At the best that was a surprise decision, and it was one in which the House acted in the full belief that it was not prejudging the case of the great towns, for, after all, subsection (7) still remained on the Paper, and the House ought to have an opportunity of discussing this Amendment, and that was the proper occasion on which to safeguard the interest of the great towns. There remained only the remark of the hon. Member for Denbighshire, which amounted to this, that in Liverpool, by philanthropic action against which he had not a word to say, some small prohibitionist areas seemed to have been created. But of what use were these to argument? They pleased all parties. They pleased the temperance people as far as they went, and they did not interfere in the least with the habits of the drinking people. Let there be no mistake. This was an Amendment to safeguard the autonomy and dignity of the great municipal areas, and to leave them free to say for themselves within their own area whether the local option area should be the city itself, the whole municipal area, or a single ward, or a

grouping of wards made by the city itself, which the House ought to trust with that duty.

MR. RICHARDSON (Nottingham, S.) said he could foresee a difficulty if the Amendment was carried. There was immediately contiguous to the city of Nottingham a place called West Bridgeford. It had a population of 11,000. Over the whole area of that place, with the exception of an old public-house, called the "Trent Bridge Inn," connected with the cricket ground, there was not a single licensed house. This was because Liberals and Conservatives, Churchmen and Nonconformists, had, from the early beginnings of that village, formed an association for the purpose of opposing the introduction of any licensed house in the place. West Bridgeford was one of the most prosperous and respectable villages in the county of

Nottingham. Now, there had been houses bought by men interested in liquor trade for the purpose of opening licensed premises, and every year, whenever the brewers came forward and asked for a licence, the whole of the 11 people were represented, undivided by religion or politics, before the magistrates, to oppose such licensing. The result was that the magistrates would not grant a single licence. There was a movement on foot to include West Bridgeford in the borough of Nottingham, but if the Amendment were carried, it was quite certain it would induce the inhabitants of West Bridgeford to oppose inclusion for the very reason that they did not want and would not have a public-house there.

Question put.

The Committee divided:—Ayes, 314. (Division List No. 2)

#### AYES.

Anson, Sir William Reynell  
 Arkwright, John Stanhope  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt.Hn.A.J.(City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Barnard, E. B.  
 Barrie, H.T. (Londonderry, N.)  
 Beach, Hn.Michael Hugh Hicks-  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Bull, Sir William James  
 Burdett-Coutts, W.  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt.Hn.J.A. (Worc)  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt.Hn.J.(Birmingham)  
 Courthope, G. Loyd  
 Cowan, W. H.  
 Craig, Charles Curtis (Antrim, S.)  
 Craik, Sir Henry

Dixon-Hartland, Sir Fred Dixon  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W.E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashford)  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt.Hon.Sir John H.

Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Sey  
 Lambton, Hon. Fr  
 Lane-Fox, G. R.  
 Law, Andrew Bon  
 Lea, Hugh Cecil (St  
 Lockwood, Rt.Hn.  
 Long, Col. Charles V  
 Long, Rt.Hn. Wal  
 Lonsdale, John B  
 Lowe, Sir Francis  
 Lyttelton, Rt. H  
 MacCaw, William  
 M'Arthur, Charle  
 M'Iver, Sir Lowi  
 Magnus, Sir Phil  
 Marks, H. H. (K  
 Mason, James F  
 Meysey-Thomps  
 Mildmay, Franc  
 Moore, William  
 Nicholson, Wm  
 Nield, Herbert  
 Oddy, John Ja  
 Parker, Sir Gilb  
 Pease, Herbert  
 Randles, Sir J  
 Ratcliff, Major  
 Rawlinson, Jol  
 Remnant, Jam

Mr. Stuart Wortley.

Beavick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Saker, Arthur Clavell  
 Scott, Sir S. (Marylebone, W.)  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Smith, Hon. W. F. D. (Strand)

Stanley, Hon. Arthur (Ormskirk)  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Warner, Thomas Courtenay T.

White, Patrick (Meath, North)  
 Williams, Col. R. (Dorset, W.)  
 Wilson, A. Stanley (York, E.R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-Younger, George

TELLERS FOR THE AYES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

## NOES.

Abraham, William (Rhondda)  
 Acland, Francis Dyke  
 Agnew, George William  
 Alden, Percy  
 Algeo, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Astbury, John Meir  
 Atherley-Jones, L.  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Bean, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bertram, Julius  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Burrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Brace, William  
 Bramson, T. A.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Burton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Chetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Compton-Rickett, Sir J.

Cooper, G. J.  
 Corbett, CH (Sussex, E. Grinst'd)  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Crooks, William  
 Crossley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dilke, Rt. Hon. Sir Charles  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.

Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharpe  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Johnson, John (Gateshead)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport

Mond, A.	Roberts, Sir John H. (Denbighs.)	Thorne, G. R. (Wolverhampton)
Money, L. G. Chiozza	Robertson, Sir G. Scott (Bradford)	Thorne, William (West Ham)
Montagu, Hon. E. S.	Robertson, J. M. (Tyneside)	Tomkinson, James
Morgan, G. Hay (Cornwall)	Robinson, S.	Trevelyan, Charles Phillips
Morgan, J. Lloyd (Carmarthen)	Robson, Sir William Snowdon	Ure, Alexander
Morse, L. L.	Roch, Walter F. (Pembroke)	Verney, F. W.
Murray, Capt. Hn A. C. (Kincardine)	Roe, Sir Thomas	Villiers, Ernest Amherst
Murray, James (Aberdeen, E.)	Rogers, F. E. Newman	Vivian, Henry
Myer, Horatio	Rose, Charles Day	Wadsworth, J.
Napier, T. B.	Rowlands, J.	Walker, H. De R. (Leicester)
Newnes, F. (Notts, Bassetlaw)	Runciman, Rt. Hon. Walter	Walsh, Stephen
Nicholls, George	Russell, Rt. Hon. T. W.	Walters, John Tudor
Nicholson, Charles N. (Doncaster)	Rutherford, V. H. (Brentford)	Walton, Joseph
Norman, Sir Henry	Samuel, Herbert L. (Cleveland)	Ward, John (Stoke upon Trent)
Norton, Capt. Cecil William	Samuel, S. M. (Whitechapel)	Ward, W. Dudley (Southampton)
Nussey, Thomas Willans	Schwann, C. Duncan (Hyde)	Wardle, George J.
Nuttall, Harry	Schwann, Sir C. E. (Manchester)	Waring, Walter
O'Donnell, C. J. (Walworth)	Scott, A. H. (Ashton under Lyne)	Wason, Rt. Hon. E. (Clackmannan)
O'Grady, J.	Seddon, J.	Wason, John Cathcart (Orkney)
Parker, James (Halifax)	Seely, Colonel	Waterlow, D. S.
Partington, Oswald	Shackleton, David James	Watt, Henry A.
Paulton, James Mellor	Sherwell, Arthur James	White, Sir George (Norfolk)
Pearce, Robert (Staffs, Leek)	Shipman, Dr. John G.	White, J. D. (Dumbarton)
Pearce, William (Limehouse)	Silcock, Thomas Ball	White, Luke (York, E. R.)
Pearson, W. H. M. (Suffolk, Eye)	Simon, John Allsebrook	Whitehead, Rowland
Perks, Sir Robert William	Sinclair, Rt. Hon. John	Whitley, John Henry (Fife)
Philipps, Col. Ivor (Southampton)	Smeaton, Donald Mackenzie	Whittaker, Rt. Hon. Sir Thos.
Philipps, Owen C. (Pembroke)	Snowden, P.	Wiles, Thomas
Pickersgill, Edward Hare	Soames, Arthur Wellesley	Williams, J. (Glamorgan)
Pollard, Dr.	Soares, Ernest J.	Williams, Llewelyn (Cardiff)
Ponsonby, Arthur A. W. H.	Spicer, Sir Albert	Williams, Osmond (Merioneth)
Price, C. E. (Edinburgh, Central)	Stanger, H. Y.	Williamson, A.
Price, Sir Robert J. (Norfolk, E.)	Stanley, Albert (Staffs, N. W.)	Wilson, Hon. G. G. (Hants)
Priestley, Arthur (Grantham)	Stanley, Hn. A. Lyulph (Chesh.)	Wilson, Henry J. (York)
Radford, G. H.	Steadman, W. C.	Wilson, John (Durham)
Rainy, A. Rolland	Stewart, Halley (Greenock)	Wilson, J. H. (Middlesex)
Raphael, Herbert H.	Stewart-Smith, D. (Kendal)	Wilson, J. W. (Worcestershire)
Rea, Russell (Gloucester)	Straus, B. S. (Mile End)	Wilson, P. W. (St. Paul)
Rea, Walter Russell (Scarborough)	Stuart, James (Sunderland)	Wilson, W. T. (Westhampton)
Redmond, William (Clare)	Summerbell, T.	Winfrey, R.
Rees, J. D.	Taylor, Theodore C. (Radcliffe)	Wodehouse, Lord
Rendall, Athelstan	Tennant, Sir Edward (Salisbury)	Wood, T. M'Kinnon
Richards, Thomas (W. Monmouth)	Tennant, H. J. (Berwickshire)	Yoxall, James Henry
Richardson, A.	Thomas, Abel (Carmarthen, E.)	
Ridsdale, E. A.	Thomas, Sir A. (Glamorgan, E.)	
Roberts, Charles H. (Lincoln)	Thomasson, Franklin	TELLERS FOR THE BILL
Roberts, G. H. (Norwich)	Thompson, J. W. H. (Somerset, E.)	Joseph Pease and Elibank.

And, it being after half-past Ten of the clock, the Chairman proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question necessary to dispose of the Business to be concluded this day.

Question put, "That the Bill be amended, stand part of the Bill."

The Committee divided :—Ayes, 117. (Division List No. 1)

#### AYES.

Abraham, William (Rhondda)	Atherley-Jones, L.	Benn, W. (T'w'r Hants)
Acland, Francis Dyke	Baker, Joseph A. (Finsbury, E.)	Bennett, E. N.
Agnew, George William	Balfour, Robert (Lanark)	Berridge, T. H. (Dorset)
Alden, Percy	Baring, Godfrey (Isle of Wight)	Bethell, Sir J. H. (Essex)
Allen, A. Acland (Christchurch)	Barker, John	Bethell, T. R. (Essex)
Allen, Charles P. (Stroud)	Barlow, Sir John E. (Somerset)	Birrell, Rt. Hon.
Armitage, R.	Barran, Rowland Hirst	Black, Arthur W.
Armstrong, W. C. Heaton	Barry, Redmond J. (Tyrone, N.)	Boulton, A. C. F.
Ashton, Thomas Gair	Beauchamp, E.	Bowerman, C. W.
Asquith, Rt. Hon. Herbert Henry	Beck, A. Cecil	Brace, William
Astbury, John Meir	Bell, Richard	Bramsdon, T. A.



Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Backmaster, Stanley O.  
 Burnyeat, W. J. D.  
 Bart, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (St. Pancras, W)  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Corbett, C H (Sussex, E. Grinst'd  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Crooks, William  
 Cressley, William J.  
 Curran, Peter Francis  
 Davies, M. Vaughan-(Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S)  
 Dickinson, W. H. (St. Pancras, N  
 Dilke, Rt. Hon. Sir Charles  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Easlemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Farra, T. R.  
 Farnes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fullerton, Hugh  
 Furness, Sir Christopher  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hon. Herbert John  
 Glas-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gosh, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Griffith, Ellis J.  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gordon, Rt. Hon. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil

Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r.)  
 Harmsworth, R. L. (Caithn'ss-sh  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Johnson, John (Gateshead)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Leese, Sir Joseph F. (Accrington  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)

Morgan, J. Lloyd (Carmarthen)  
 Morse, L. L.  
 Murray, Capt. Hn A. C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro'  
 Redmond, William (Clare)  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. M'n'm'uth  
 Richards, T. F. (Wolverh'mpt'n  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)  
 Robertson, Sir G. Scott (Bradfr'd  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester  
 Scott, A. H. (Ashton under Lyne  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.



Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N.W.)  
 Stanley, Hn.A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, Sir Edward (Salisbury)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Ure, Alexander

Verney, F. W.  
 Villiers, Ernest Amherst  
 Vivian, Henry  
 Wadsworth, J.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Ward, Dudley (Southampton)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Watelow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt Hn. Sir Thomas P

Wiles, Thomas  
 Williams, J. (G)  
 Williams, Llew  
 Williams, Osm  
 Williamson, A.  
 Wilson, Hon. G.  
 Wilson, Henry  
 Wilson, John (I)  
 Wilson, J. H. (A)  
 Wilson, J. W. (W)  
 Wilson, P. W. ( )  
 Wilson, W. T. ( )  
 Winfrey, R.  
 Wodehouse, Lor  
 Wood, T. M'Ki  
 Yoxall, James I

TELLERS FOR THE  
 Joseph Peas  
 of Elibank.

## NOES.

Anson, Sir William Reynell  
 Arkwright, John Stanhope  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harwood-  
 Barnard, E. B.  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Bertram, Julius  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Burdett-Coutts, W.  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt Hn. J. A. (Worc.)  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fletcher, J. S.  
 Forster, Henry William

Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd)  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt Hon. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lambton, Hon. Frederick Wm  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 M'Iver, Sir Lewis  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.

Mildmay, Francis  
 Moore, William  
 Nicholson, Wm.  
 Nield, Herbert  
 Oddy, John Jam  
 Parker, Sir Gilbe  
 Pease, Herbert Pi  
 Ratcliff, Major R  
 Rawlinson, John  
 Remnant, James  
 Renwick, George  
 Roberts, S. (She  
 Ronaldshay, Ear  
 Rutherford, John  
 Rutherford, W. V  
 Salter, Arthur Cl  
 Scott, Sir S. (Ma  
 Smith, Abel H. (I  
 Smith, F. E. (Live  
 Smith, Hon. W. V  
 Stanley, Hn. Artl  
 Starkey, John R.  
 Staveley-Hill, He  
 Stone, Sir Benja  
 Strauss, E. A. (A  
 Talbot, Lord E. ( )  
 Thornton, Percy  
 Walker, Col. W. H.  
 Warde, Col. C. E.  
 Warner, Thomas  
 Williams, Col. R.  
 Wilson, A. Stanley  
 Winterton, Earl  
 Wortley, Rt. Hon  
 Younger, George

TELLERS FOR THE  
 Alexander Acla  
 Viscount Valen

Committee report Progress; to sit again To-morrow. | adjourned the House without.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July,

Adjourned at eight m  
 Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 15th October, 1908.

The House met at a quarter before Three of the Clock.

## PETITIONS.

## LICENSING BILL.

Petitions against: From Aylesbury; Canterbury; Hanslope; Newport Pagnell; Rye; South Bucks; and Winslow; to lie upon the Table.

Petitions in favour: From Denholm; Dulwich; Herne Hill; Peckham (two); Penge; and Walworth (two); to lie upon the Table.

## PORT OF LONDON BILL.

Petition from Westminster, for alteration; to lie upon the Table.

## WOMEN'S ENFRANCHISEMENT BILL.

Two Petitions from London, in favour; to lie upon the Table.

## WORKMEN'S COMPENSATION ACT, 1906.

Petition from Cannock, for alteration of Law; to lie upon the Table.

## RETURNS, REPORTS, ETC.

## OFFENCES IN COUNTY ARMAGH (IRELAND).

Return [presented 14th October] to be printed. [No. 300.]

## COLONIAL REPORTS (MISCELLANEOUS).

Copy presented, of Report No. 56 (Turks and Caicos Islands, Report on the Salt Industry, by Mr. F. H. Watkins, Commissioner of the Turks and Caicos Islands) [by Command]; to lie upon the Table.

## SPEECHES (TIME LIMITS) (COLONIAL AND FOREIGN LEGISLATURES).

Return presented, relative thereto [Address 3rd June; *Mr. Dundas White*]; to lie upon the Table, and to be printed. [No. 301.]

VOL CXCIV. [FOURTH SERIES.]

## MINES (ROYAL COMMISSION).

Copy presented, of Minutes of Evidence taken before the Royal Commission on Mines, with Index and Appendices, Vol. III. [by Command]; to lie upon the Table.

## SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Council of the County Borough of Sunderland, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for certain classes of Shops) [by Act]; to lie upon the Table.

## DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Copy presented, of an Order, No. 7572, dated the 8th October 1908, revoking Order No. 6985, dated the 11th October 1905, and defining a specified part of the Port of Manchester as a Foreign Animals Wharf [by Act]; to lie upon the Table.

## NORTH SEA FISHERIES INVESTIGATION COMMITTEE.

Copy presented, of Third Report (Northern Area) on Fishery and Hydrographical Investigations in the North Sea and Adjacent Waters, 1904-6. Statistical Papers [by Command]; to lie upon the Table.

## TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4146 to 4148 [by Command]; to lie upon the Table.

## QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

## Repairing H.M.S. "Gladiator."

MR. E. H. LAMB (Rochester): To ask the First Lord of the Admiralty, in view of the fact that H.M.S. "Gladiator" was on her way to Chatham for repairs when she was sunk in a collision in the Solent, whether, as soon as she has been sufficiently repaired to enable her to continue her voyage from Portsmouth, she may be sent on to Chatham Dockyard for completion.

(*Answered by Mr. McKenna.*) The course to be taken with the "Gladiator" will be decided when the estimated cost of repairing the ship is known.

#### Old-Age Pensions Regulations.

SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean): To ask the President of the Local Government Board if he will lay upon the Table of the House the Old-Age Pensions Regulations of 20th August and the Local Government Board Circular on the Old-Age Pensions Act dated 21st August.

(*Answered by Mr. Lloyd-George.*) The Regulations under Section 10 of the Old-Age Pensions Act, 1908 (which have been in force as provisional regulations since 20th August last), are being signed to-day and will, in accordance with the requirements of that section, be laid before both Houses of Parliament forthwith. The Local Government Board Circular of 21st August on the subject of the Regulations will be laid upon the Table by my right hon. friend.

#### Roman Catholic Disabilities.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Prime Minister whether he is aware that by an Act, 30 and 31 Vic., c. 62, passed in 1867 holders of the offices of the Lord-Chancellorship of Great Britain, the Lord-Lieutenancy of Ireland, and the Chancellorships of the Universities of Oxford and Cambridge, which are confined to members of the Protestant faith, have been relieved from the necessity of making the declaration required of the Sovereign as his first public act on accession to the Throne in repudiation of Roman Catholic doctrines, notably the doctrine of Transubstantiation as idolatrous and blasphemous, and that no Roman Catholic has, since the abolition by statute of this declaration, been enabled to fill any of those offices; whether he is aware that the Sovereign alone is required to make this declaration by which he is placed in an isolated position, and that in the event of a Regency the declaration is not required from the Regent of the Kingdom, and that other statutory provisions secure that the occupant of the Throne should be a professor of the Protestant faith; and whether, having regard to the fact

that the making of a declaration of this kind is couched in terms offensive to the feelings of the King's Roman Catholic subjects and unnecessary for the exclusion of Catholics from the Throne, the Government is prepared to take steps to secure by legislation the abolition of this declaration which is imposed exclusively on the Sovereign.

(*Answered by Mr. Asquith.*) The question whether steps cannot be taken to alter the language of the declaration while leaving the sense untouched has been the subject of much consideration, and presents many difficulties. The Government are not as at present advised prepared to introduce legislation, but they will give careful attention to any suggestions which seem likely to lead to a solution.

#### Suggested Weekly Payment of Army Pensions.

COLONEL WARDE (Kent, Medway): To ask the Secretary of State for War whether, in view of the disadvantages resulting from the present system of quarterly payment of pensions and deferred pay to the rank and file of the Army, they can in future be made weekly according to the system proposed in the case of old-age pensions.

MR. ESSEX (Gloucestershire, Cirencester): To ask the Secretary of State for War whether the Army Council has yet considered the possibility of paying Army pensions weekly through the post offices in the same way as old-age pensions; what would be the extra cost, if any, of carrying out such a proposal; and whether any circumstances exist in which it is at present possible to arrange for weekly instead of quarterly payments of pensions.

EARL WINTERTON (Sussex, Hove): To ask the Secretary of State for War whether, having regard to the obvious disadvantages connected with the payment of military pensions quarterly by the boards of guardians, he will consider the feasibility of introducing legislation to enable the pensions to be paid weekly by the old-age pensions committees.

**SIR EDWARD SASSOON (Hythe):** To ask the Financial Secretary to the War Office whether his attention has been called to the fact that the pensions under the Old-Age Pensions Act are to be paid weekly; and whether he will give instructions for Army pensioners to receive their pensions also at such periods.

*(Answered by Mr. Secretary Haldane.)*  
In reply to these Questions I would refer the hon. Members to my reply to a similar Question put yesterday by my hon. friend the Member for the Isle of Wight Division of Hampshire.

#### **Position of Quartermasters of Territorial Engineers.**

**MR. COURTHOPE (Sussex, Rye):** To ask the Secretary of State for War whether a decision has yet been reached as to the inclusion in the establishment of quartermasters of Royal Engineers Volunteer Corps who have transferred to the Territorial Force; and when the position of these officers will be defined.

*(Answered by Mr. Secretary Haldane.)*  
This question is now under consideration.

#### **Posting of Officers to Special Reserve Units.**

**MR. COURTHOPE:** To ask the Secretary of State for War if he will state when the appointment of officers of the late Militia to the staff of 3rd battalions of infantry regiments will take place.

*(Answered by Mr. Secretary Haldane.)*  
The adjutants and quartermasters of the late Militia have been already posted to the Special Reserve units. As regards the late Militia officers, they have, with a few exceptions, been already gazetted to the 3rd battalions.

#### **Case of Lieutenant-Colonel W. G. Ley.**

**MR. LEHMANN (Leicestershire, Market Harborough):** To ask the Secretary of State for War if his attention has been called to the conduct of Lieutenant-Colonel W. G. Ley, commanding the 1st North Staffordshire Regiment, who was charged before the justices at Aldershot on 24th September with

cruelty to a cat; and if he intends to take any action in the matter.

*(Answered by Mr. Secretary Haldane.)*  
Yes, Sir. My attention has been drawn to this incident, and action is being taken.

#### **Transfer of Officers from Disbanded Battalions.**

**EARL WINTERTON:** To ask the Secretary of State for War whether his attention has been called to cases which have arisen of officers in line battalions being superseded by officers transferred from disbanded battalions of other regiments, and which have led to a considerable amount of hardship; and whether he will consider if there is any method of mitigating the block in promotion thus caused.

*(Answered by Mr. Secretary Haldane.)*  
As I have already explained to the House in reference to this subject, cases of disbandment in any branch of the service must necessarily cause retardation of promotion, but this is spread throughout the branch concerned and it is expedient to consider the interests of the infantry officers as a body rather than those of any particular regiment.

#### **Muzzle Velocity of British and Foreign Rifles.**

**MR. PIKE PEASE (Darlington):** To ask the Secretary of State for War whether he can inform the House what is the muzzle velocity produced by the ammunition used in the Lee-Enfield rifle with which the British Army is now armed; and what is the muzzle velocity given by the ammunition used in the German Army, the Austrian Army, and the United States Army.

*(Answered by Mr. Secretary Haldane.)*  
The velocities are as follows:—

British	-	2,060 f.s. with 215 gr. bullet
German	-	2,900 „ 154 „
Austrian	-	2,030 „ 244 „
United States		
of America	2,650	„ 150 „

#### **Lee-Enfield Breech Action and High Velocity Ammunition.**

**MR. PIKE PEASE:** To ask the Secretary of State for War whether



the breech action of the Lee-Enfield rifle with which the British troops are now armed is strong enough to stand the high pressure that would be produced by the use of a high-velocity ammunition such as has been adopted by Germany, Austria, and the United States.

*(Answered by Mr. Secretary Haldane.)* 2,600 feet seconds can be obtained in the short Lee-Enfield rifle with a 150-grains bullet without exceeding the pressure which the breech action is amply strong enough to stand.

#### **Dismissals from Woolwich Arsenal.**

MR. G. GOOCH (Bath): To ask the Secretary of State for War how many men have been dismissed from Woolwich Arsenal since 1st January, 1908; what is the total number dismissed since the accession to office of the present Government; and how many were dismissed between the close of the South African War and the resignation of the late Government.

*(Answered by Mr. Secretary Haldane.)* The figures for the ordnance factories at Woolwich are as follow:—The number of men discharged on reduction from week ending 4th January, 1908, to 10th October, 1908, is 106. The total number discharged on reduction from 1st December, 1905, to 10th October, 1908, is 3,187. The total number discharged on reduction from 1st June, 1902, to 30th November, 1905, was 4,567.

#### **Dismissals from the Army.**

MR. G. GOOCH: To ask the Secretary of State for War how many men have been dismissed from the Army during the tenure of office by the present Government without being offered service on equally favourable conditions in other units.

*(Answered by Mr. Secretary Haldane.)* The hon. Member is presumably referring to the units which were disbanded. No men belonging to these units were dismissed from the Army. Those who did not complete their service in their units were either posted or voluntarily transferred to other units or transferred to the Reserve at their own request on guarantee of obtaining employment.

#### **Distribution of Untenanted Land on the Caldbeck Estate.**

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in the proposed distribution of the untenanted land on the Caldbeck estate, Ballacolla, Queen's County, Thomas Cunningham, Ballacolla, has been allotted 20 acres, and a man named Guilfoyle 38 acres; whether he is aware that Cunningham is postmaster in Ballacolla, from which he derives an income of £150 a year, and in addition has a lucrative business and 52 acres of land purchased on another estate, and that Guilfoyle has already 34 acres of land, also purchased out, as well as his emoluments as estate bailiff to Captain Caldbeck; and, if so, can he say who is responsible for allotting such an extent of land to those wealthy men to the exclusion of the claims of a large number of small holders, labourers, and farmers' sons in the district; and if the Estates Commissioners have approved of this proposal.

*(Answered by Mr. Birrell.)* The Estates Commissioners have not yet approved of a scheme for the allotment of the untenanted land on this estate.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Estates Commissioners' inspector, Mr. Booth, who visited Ballacolla on 29th September last, for the purpose of investigating the claims of those who applied for a portion of the untenanted land on the Caldbeck estate, occupied a room in the house of Thomas Cunningham, who, although postmaster, business man, and large farmer, was also claimant for a share of the untenanted land, and refused to admit the small holders, labourers, or farmers' sons, to the number of twenty, whose right to a portion of untenanted land is acknowledged under the Act of 1905; can he say if this is the usual practice pursued by inspectors on such occasions; and whether the Estates Commissioners are prepared to sanction Mr. Booth's action.

*(Answered by Mr. Birrell.)* The Estates Commissioners are aware that



their inspector occupied a room in Mr. Cunningham's house on the occasion of his visit to the estate in question. The Commissioners see no reason to disapprove of the inspector's action in this respect. It is not the fact that the inspector refused to see the applicants referred to in the Question.

### Boycotting in Ireland.

MR. WALTER LONG (Dublin, S.): To ask the Chief Secretary to the Lord-

Lieutenant of Ireland what was the number of cases and of persons boycotted in Ireland on the last day of each month from February to September, inclusive, in the same form in which the information was given in Parliamentary Paper, No. 89, of the last session.

(Answered by Mr. Birrell.) The number of cases of boycotting and of persons boycotted on the last day of the months named are as follows—

Date.	Wholly Boycotting.		Partial Boycotting.		Minor Boycotting.		Total number of all cases of Boycotting.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
1908:								
29th February -	6	37	14	61	154	572	174	670
31st March - -	6	33	13	57	148	578	167	668
30th April - -	15	65	10	39	141	545	166	649
31st May . -	15	66	10	39	140	555	165	660
30th June - -	16	72	10	37	142	550	168	659
31st July - -	16	75	10	38	160	587	186	700
31st August - -	16	75	10	40	188	639	214	754

The figures for 30th September are not yet available.

### Army Officers as Russian Interpreters.

MR. REES (Montgomery Boroughs): To ask the Under-Secretary of State for India whether he is aware that a recent Army Department notification offers encouragement to officers, who have qualified as Russian interpreters, by way of preference in respect of certain appointments; and whether the Government contemplates giving similar encouragement, or any encouragement, to civil officers, who are, or may in future become, similarly qualified.

(Answered by Mr. Hobhouse.) Presumably the hon. Member refers to a recent Indian Army Order creating an official staff of interpreters in Russian

for Army purposes. The terms of that order do not admit of extension to civil officers, and the Secretary of State is not aware that the Government of India contemplates any similar arrangement for civilians who may possess, or hereafter acquire, a knowledge of Russian.

### Indians in the Mauritius.

SIR H. COTTON (Nottingham, E.): To ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the statements of one Brindaban, a native of the Punjab, regarding the ill-treatment of Indian emigrants in the Mauritius; and whether he will cause inquiry to be made into the matter.

(Answered by Colonel Seely.) I have seen the statements, but I have no

reason to believe that they are accurate ; the Secretary of State will, however, bring them to the Governor's notice and invite his observations.

#### Consumption of Raw Cotton.

MR. STAVELEY-HILL (Staffordshire, Kingswinford) : To ask the President of the Board of Trade whether he will

state the number of pounds of raw cotton consumed respectively in the United Kingdom, the United States, and Germany during the years 1883 to 1887 and 1903 to 1907.

(Answered by Mr. Churchill.) The following statement gives the information required by the hon. Member—

Years.	Estimated Consumption of Raw Cotton.		
	In the United Kingdom.*	In the United States† (Years ended 30th June.)	In Germany.‡
	Million lbs.	Million lbs.	Million lbs.
1883 - - - -	1,487·1	1,117·8	416·8
1884 - - - -	1,497·5	900·6	391·4
1885 - - - -	1,219·5	854·8	386·1
1886 - - - -	1,517·2	1,128·1	400·5
1887 - - - -	1,498·8	991·1	494·3
Average, 1883-7 -	1,444·0	998·5	417·8
1903 - - - -	1,488·4	1,980·0	951·9
1904 - - - -	1,701·2	2,066·7	995·2
1905 - - - -	1,920·4	2,749·3	1,009·5
1906 - - - -	1,761·9	2,230·5	930·5
1907 - - - -	2,056·5	2,534·2	1,110·4
Average, 1903-7 -	1,785·7	2,312·1	999·5

\* Net imports, i.e., total imports less re-exports.

† Total estimated consumption of cotton of domestic and foreign origin according to United States official returns.

‡ Imports for home consumption according to German official returns.

#### Imperial Postal Order System—Position of Canada and Australia.

MR. HENNIKER HEATON (Canterbury) : To ask the Postmaster-General whether his attention has been called to the fact that the Imperial Postal Order system now comprises practically the whole of the British Empire with the exception of Canada

and Australia, and that it affords a convenient and cheap means of remitting small sums of money ; and whether he will state what are the difficulties in the way of exchanging postal orders between Great Britain and Canada and Australia.

(Answered by Mr. Sydney Buxton.) I have invited the Governments of Canada

and Australia to participate in the Imperial Postal Order system, to which I called attention in my recent Annual Report in the terms quoted by the hon. Member. I am sorry to say that neither of those Governments has yet found itself able to adopt the system.

#### Postcard Postage Rates.

**MR. HENNIKER HEATON:** To ask the Postmaster-General whether it is the fact that newspapers are conveyed from the United Kingdom to every part of the world for a maximum charge of  $\frac{1}{2}$ d. for two ounces; whether he will permit postcards to be transmitted to every part of the Empire for  $\frac{1}{2}$ d. each; what would be the estimated loss incurred by sending postcards for  $\frac{1}{2}$ d. each to every part of the British Empire; and what is the estimated number of postcards sent from Great Britain to our Dominions, Colonies, and Dependencies last year.

*(Answered by Mr. Sydney Buxton.)* The prepaid rate of postage on newspapers not exceeding two ounces in weight for all places abroad is  $\frac{1}{2}$ d. I do not see my way to reduce the charge on postcards. The number of postcards despatched from the United Kingdom to the rest of the Empire last year is estimated at 2,650,000. The amount of loss entailed by the introduction of a half-penny rate would depend partly on the increase in the number of cards transmitted and on the percentage of such cards sent in lieu of letters. I have no information which enables me to frame a trustworthy estimate on these points.

#### Outdoor Poor Law Relief.

**SIR WALTER FOSTER** (Derbyshire, Ilkeston): To ask the President of the Local Government Board how many boards of guardians have increased their allowance to outdoor paupers of seventy years of age and upwards to 5s. per week since the passing of the Old-Age Pensions Act; and if he can state the cost of this increase to the Poor Law if made universal for paupers over seventy.

*(Answered by Mr. John Burns.)* Some boards of guardians have proposed to take the course indicated in the Question, but I cannot say how many of them have

actually done so. If the increase in outdoor relief to 5s. a week to paupers over seventy years of age became universal in England and Wales it is estimated that the increased cost would amount to about £900,000 a year. I have, however, intimated to boards of guardians who have communicated with me on the subject that it would not be a proper exercise of their powers to order a fixed weekly sum as outdoor relief to all persons above a certain age to whom that form of relief is given. I have pointed out that the amount of relief in any particular case should be determined by the necessities of that case, and that although in some instances the conditions might be such that 5s. a week would be needed, in others this would not be so, and that in the latter cases the additional relief contemplated could not properly be given.

#### Pembroke Dockyard Joiners.

**MR. W. T. WILSON** (Lancashire, Westhoughton): To ask the First Lord of the Admiralty whether he is aware that when joiners are discharged from the Royal Dockyard at Pembroke a large and undue proportion of those discharged are men who are members of a trade union, the reason given being that they will receive 10s. per week from their trade society, whilst those that do not belong to a society will get nothing; and whether he will take steps to put a stop to this treatment of workmen who belong to a trade union.

*(Answered by Mr. McKenna.)* Inquiries are being made, and the reply to the hon. Member's Question will be circulated as soon as possible.

#### Channel Fleet Battleships.

**MR. BELLAIRS** (Lynn Regis): To ask the First Lord of the Admiralty how many of the Channel Fleet's full complement of fourteen battleships have been assembled with the fleet for the present cruise since the date of starting; and whether he can state the numbers for each period up to the present moment.

*(Answered by Mr. McKenna.)* Six battleships from September 23rd to 26th; five from September 26th to October

5th; six from October 5th to October 12th; seven from October 12th to present time.

**Bristol Army Boot Contract.**

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Secretary of State

for War whether he can state how many pairs of Army shoes have been produced in the City of Bristol and in the county of Northampton during the past five years.

(Answered by Mr. Secretary Haldane.)—

**Quantities of Army Boots and Shoes ordered in Bristol and in the County of Northampton.**

	Boots and Highland Shoes.		Canvas Shoes.	
	Bristol.	Northampton.	Bristol.	Northampton.
1903-4 - - -	2,000	224,120	20,000	68,000
1904-5 - - -	—	208,594	—	107,500
1905-6 - - -	24	198,117	—	277,000
1906-7 - - -	10,000	406,172	—	34,000
1907-8 - - -	34,650	440,680	—	12,930
	46,674	1,477,683	20,000	499,430

**QUESTIONS IN THE HOUSE.**

**New Zealand and Naval Defence.**

MR. LONSDALE (Armagh, Mid.): I beg to ask the First Lord of the Admiralty whether he is aware of the desire existing in the Dominion of New Zealand to assist in the problem of Imperial defence; and whether the request of the New Zealand Government for a vessel for the purpose of training young New Zealanders for the Navy will be acceded to.

THE FIRST LORD OF THE ADMIRALTY (Mr. McKENNA, Monmouthshire, N.): The Answer to the first part of the Question is in the affirmative. The New Zealand Government were informed last May that the Admiralty had no suitable vessel available for transfer, but would be glad to give all possible assistance in the event of the New Zealand Government deciding to acquire one from the mercantile marine.

**Naval Punishments.**

MR. EVERETT (Suffolk, Woodbridge): I beg to ask the First Lord of the Admir-

alty what result has followed the issue of the Circular, headed "Summary Punishments—Birching and Caning," to which reference was made in the Debate on the Address on 21st February, 1906.

MR. McKENNA: No birchings have been inflicted since the new rules came into force; the effect on the total number of canings is not known.

**Naval Pensions.**

SIR EDWARD SASSOON (Hythe): I beg to ask the Civil Lord of the Admiralty whether his attention has been called to the fact that the pensions under the Old-Age Pensions Act are to be paid weekly; and whether he will give instructions for Navy pensioners to receive their pensions also at such periods.

MR. McKENNA: I have received memorials from 216 board of guardians on this subject, and as I stated to the House yesterday, I have come to the conclusion, after giving the fullest consideration to the representations made, that the balance of advantage lies with the present system

of quarterly payments in advance. There are nearly 40,000 naval pensioners, and we believe that they form a highly-respectable class of the community, very few of whom are in the habit of receiving parochial relief. While willing to deal with individual cases on their merits, I am not prepared to deprive this large body of excellent citizens of an advantage which they at present enjoy and appreciate.

#### **Territorial Yeomanry—Staff Sergeant-Majors.**

**MR. CLAUDE HAY** (Shoreditch, Horton): I beg to ask the Secretary of State for War if he will state how many permanent staff sergeant-majors are employed in the Territorial Yeomanry; and what percentage of these non-commissioned officers have served abroad in the Regular Army.

**THE SECRETARY OF STATE FOR WAR** (Mr. HALDANE, Haddington): The establishment of permanent staff sergeant-majors in the Territorial Yeomanry is 280, and is complete. All these men are ex-Regulars. It is impossible to say how many have served abroad without calling for special returns from the record offices.

#### **Indian Educational Changes.**

\***MR. REES** (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether, following upon the resolutions of the Indian Universities Commission and the Indian Universities Act, new schemes are being introduced into the Indian educational system; whether such schemes in respect of Bengal provide for giving sufficient assistance to private indigenous colleges to enable them to comply with the demands of the new regulations imposed upon them by the University of Calcutta; and whether provision is made for training schoolmasters who teach in secondary schools through the medium of English.

**THE UNDER-SECRETARY OF STATE FOR INDIA** (Mr. BUCHANAN, Perthshire, E.): Various changes have been, and are being, made, but the Secretary of State has no knowledge of any intention on the part of the Govern-

ment of Bengal to revise the present grant-in-aid rules, or of any applications for additional grants made by aided colleges in consequence of the new University regulations. A new scheme for the training of secondary school teachers is now being worked out by the Government of Bengal. The existing teachers, generally speaking, are men with a knowledge of English.

#### **Mysore Government and Seditious Newspapers.**

\***MR. REES**: I beg to ask the Under-Secretary of State for India whether the Government of Mysore has recently passed a regulation through its Legislative Council for dealing with seditious newspapers, providing that no newspaper in Mysore, shall be published without the written permission of the Government, that any person contravening this provision shall be required to leave Mysore within a week and not to return without permission, and providing also for forcible expulsion of the offender and confiscation of his press and his plant; and whether this Bill passed through a Legislative Council consisting of Indian gentlemen without a dissentient voice.

**MR. BUCHANAN**: No official report has been received, but I understand that the facts are as stated by the hon. Member; and a Regulation of the character in question has been passed by the Government of Mysore.

\***MR. REES**: Are there two Mysores in India, or is this the native State which, during the recent Budget debate, was held up as an example to the Government of India by the hon. Member for Merthyr Tydvil?

**MR. BUCHANAN**: There is only one Mysore that I know of.

**MR. KEIR HARDIE**: Will the Government follow its example in other respects?

\***MR. REES**: Do the Government propose to follow this example and govern India according to native ideas and ideals?



MR. BUCHANAN'S answer was inaudible.

### Indian Military Charges.

SIR H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for India whether an additional charge of £300,000 has lately been imposed on the Indian revenues for the recruitment and training of British soldiers for service in India; and, if so, whether he can furnish any explanation of the circumstances under which this increase is being levied.

MR. BUCHANAN: It has been agreed that the payment by the India Office to the War Office for the recruitment and training of British soldiers for service in India shall be increased by £300,000 a year from 1st May, 1908. The revision of the scale of payment that had been in force from 1890 was undertaken in accordance with the recommendation contained in Paragraphs 270 and 289 of the Report of Lord Welby's Commission on Indian Expenditure. The decision which has been arrived at is the result partly of the Report of an Inter-Departmental Committee which sat under the presidency of Sir Robert Romer, and partly of a discussion between the Secretary of State for India and the Secretary of State for War. The chief grounds for increasing the payment beyond the rate which was agreed to in 1890 are that the training period on which the charge has hitherto been calculated was inadequate, and that there has been an increase (involving additional outlay by the War Office) in the emoluments of young soldiers and in the number of drafts and reliefs annually sent to India.

SIR H. COTTON: Can the hon. Gentleman state what was the capitation grant before this increase was effected and what it is now?

MR. BUCHANAN: I cannot, off-hand.

SIR H. COTTON: Is this the case in which the Secretary of State assured the House that in any negotiations with the War Office that authority would find him a dragon in the path?

MR. BUCHANAN: I cannot accept responsibility for that quotation.

MR. HAROLD COX (Preston): Did the Government of India assent to this charge?

MR. BUCHANAN: There were two representatives of India upon the Committee, and the assent of the Government of India has, I think, been received.

DR. RUTHERFORD (Middlesex, Brentford): Is it proposed to lay on the Table the Report of the Committee on Army Charges?

MR. BUCHANAN was understood to reply in the negative.

DR. RUTHERFORD: May I also ask—

\*MR. SPEAKER: I think any further Question had better be put on the Paper.

### Conviction for Sedition in the Central Provinces.

SIR H. COTTON: I beg to ask the Under-Secretary of State for India whether his attention has been drawn to the case of the editor of the Hari Kishore, in the Central Provinces, who has been sentenced to five years hard labour for reprinting from another journal matter declared to be seditious, and to the confiscation of the press where this newspaper was printed, although it was not the property of the editor; and whether he will make inquiries into the facts of this case with a view to the reversal or modification of the sentence.

MR. BUCHANAN: The Secretary of State is acquainted with the facts of this case. He is aware of no reason for taking the exceptional action suggested by the hon. Member.

SIR H. COTTON: Is it the fact that the article for publishing which the paper was prosecuted was a reprint of an editorial in the *Calcutta Englishman*?

MR. BUCHANAN: I have no information to that effect.

**MR. KEIR HARDIE :** Was the paper in which the article originally appeared prosecuted ?

**MR. BUCHANAN :** That I cannot say. The information we have is not to the effect stated in the Question.

**SIR H. COTTON :** Does the hon. Gentleman realise that prosecutions of this character cause bitter and envenomed feelings—

**\*MR. SPEAKER :** That is a matter of opinion.

#### **Reform of Indian Administration.**

**SIR H. COTTON :** I beg to ask the Under-Secretary of State for India whether any steps have been taken, by the appointment of a Departmental Committee or otherwise, to frame the promised measures of reform in Indian administration ; and whether, if a Committee has been appointed, he can state the names of its members.

**MR. BUCHANAN :** The matter is under the consideration of the Secretary of State in Council, but he is not in a position to make a statement on the subject.

**\*MR. REES :** Will representatives of native ideas and ideals be included in this Committee ?

[No Answer was returned.]

#### **Calcutta Press and Sedition Trial.**

**SIR H. COTTON :** I beg to ask the Under-Secretary of State for India whether the Bengal Government has sent out a circular notice to various Indian newspapers in Calcutta warning them that to re-publish incriminating articles in a sedition trial is spreading disaffection and will render them liable to prosecution for sedition, even if such re-publication be a true report of the proceedings in the trial ; and whether a similar notice has been served on Anglo-Indian newspapers which are in the habit of reproducing day by day the text of the articles upon which charges for sedition are being based.

**MR. BUCHANAN :** The Secretary of State has no official information on the subject, but he will inquire.

**SIR H. COTTON :** I shall be happy to supply the hon. Gentleman with information.

#### **Military Charges on India.**

**DR. RUTHERFORD :** I beg to ask the Under-Secretary of State for India whether the Committee on Army Charges has recommended an addition of £300,000 to the capitation charges paid by India to the War Office ; and whether he can say when the Report of the aforesaid Committee will be circulated amongst hon. Members of this House.

**MR. BUCHANAN :** I would refer the hon. Member to the Answer which I have just given to the hon. Member for East Nottingham. The Secretary of State does not propose to lay the Report upon the Table.

**DR. RUTHERFORD :** Will the House have an opportunity of discussing the Report ?

**MR. BUCHANAN :** That is not for me to decide.

#### **East African Protectorate Land Board.**

**MR. WEDGWOOD (Newcastle-under-Lyme) :** I beg to ask the Under-Secretary of State for the Colonies whether he has received proposals as to the land law from the Land Board of the East African Protectorate ; if so, what reply was sent, and when ; will he give Members an opportunity of seeing the Land Board's proposals and the reply from the Colonial Office ; and will he state the names and positions of the persons composing this Land Board.

**THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby) :** The Land Board of the East Africa Protectorate according to the latest Return consisted of the following official members : The Director of Agriculture, the Conservator of Forests, the Director of Surveys, the Land Officer and the Secretary for Native Affairs ; and the following unofficial members : Major Leggett,

Messrs. Jones, Williams, Baillie, Cooper, Swift, Clarke, Flemmer, and Cushney. The functions of the Board are purely advisory. Certain proposals of the Board in regard to land legislation together with the reply of the Secretary of State will be found in Cd. 4117. Further communications have since been received, and will be included in Papers to be laid at a future date.

#### **East African Protectorate Lands.**

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies whether he will issue to Members the instructions sent to the Governor of the East African Protectorate relative to the leasing of land to white settlers and the prohibition of freehold grants.

COLONEL SEELY: My hon. friend will find the instructions to which he refers in Lord Elgin's despatch of 19th March, presented to Parliament with other Papers as Cd. 4117 in June last. Paragraph 12 of that despatch limits grants of freehold to 320 acres.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies how many acres of land in East Africa were granted in freehold during the last year for which figures are available, and how many on ninety-nine years without revision of rent; and is it still possible to get freehold land in East Africa in spite of the instruction for guidance recently sent out by the Colonial Office.

COLONEL SEELY: The latest available figures in regard to grants of land in the East Africa Protectorate are those for the year ending 31st December, 1907, which my hon. friend will find in the Annual Report on the Protectorate for 1906-7, presented to Parliament as Cd. 3729. Instructions were given by Lord Elgin in March last that freehold grants should be limited to homesteads of 320 acres each, and I have no reason to think that these instructions are not being carried out. There may, however, be cases in which grants of larger areas are still being made on the ground that they had been promised before the receipt of these instructions.

MR. WEDGWOOD asked if the Land Board had any voice in the grants of 320 acres or was that a matter purely within the cognisance of the Colonial Office.

COLONEL SEELY: The decision of the Secretary of State in these cases is final, but the Land Board advises on other matters.

#### **Ceylon Legislative Council.**

SIR H. COTTON: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the constitution of the Ceylon Legislative Council, which does not contain a single elected member; whether he is aware of the dissatisfaction which prevails in the island on account of this absence of representation; and whether His Majesty's Government will take into consideration the advisability of giving to Ceylon such an elective Legislative Council as other Crown Colonies possess and of appointing one or more Ceylonese to the Executive Council.

COLONEL SEELY: The Secretary of State does not propose to introduce changes in the constitution of Ceylon which, I may say, appears to give as much satisfaction as can reasonably be expected of any form of Government.

SIR H. COTTON: Is the right hon. Gentleman aware that considerable dissatisfaction is expressed and felt in the island of Ceylon?

\*MR. REES: In what manner has it been manifested?

COLONEL SEELY: I am aware that dissatisfaction is expressed with all Governments. I cannot say what amount of dissatisfaction is felt in this case: perhaps the hon. Member for East Nottingham can inform the hon. Member for Montgomery Boroughs.

#### **Zulu Chief's Flogging.**

MR. MACKARNESS (Berkshire, Newbury): I beg to ask the Under-Secretary of State for the Colonies whether the Zulu chief Mabeketshiya, a British subject, was recently, while unconvicted and awaiting trial in Natal, subjected to a flogging of twenty lashes for refusing

to perform the hard labour usually imposed only upon convicted prisoners; and, if so, whether he can state what law of the Colony warrants such punishment of a British subject before trial, and by what tribunal the sentence was passed.

**COLONEL SEELY:** Yes, Sir, the punishment was inflicted under martial law, as stated at page 184 of Cd. 3998. Later information with regard to the case will be found in further correspondence which will shortly be laid before Parliament.

**Mr. MACKARNES:** Is martial law still in existence in Natal?

**COLONEL SEELY:** No, Sir.

#### **Labour in the New Hebrides.**

**Mr. STAVELEY-HILL** (Staffordshire, Kingswinford): I beg to ask the Under-Secretary of State for the Colonies whether any steps have been taken to prevent natives being engaged for indentured labour under the New Hebrides Convention by persons of extra-European race.

**COLONEL SEELY:** I have to refer the hon. Member to Paragraph 14 of the despatch, printed on pages 33-39 of Cd. 3876 of 1907, from which he will see that some time ago instructions were given that no natives should be allowed to do the actual recruiting and engaging of labourers.

#### **Lobita Bay Railway.**

**Mr. ESSEX** (Gloucestershire, Cirencester): I beg to ask the Secretary of State for Foreign Affairs what progress has been made with the railway, eastward from Lobita Bay, Western Africa; is it intended to make a connection with this line and that of the Rhodesian or other part of the railway system of British South Africa; is the gauge of the railway similar to that of the British South African system; and whether he has already secured, or in the future intends to secure, transit of goods in bond through to British territory.

**THE SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir EDWARD GREY Northumberland, Berwick): According

to the latest information received, about 215 kilometres of the line have been constructed. Nothing is known with regard to an eventual connection between the Lobito Bay Railway and the Rhodesian or other British South African lines. The gauge of the railway is similar to that of the Rhodesian lines. No arrangement has been made with regard to the transit of goods in bond through to British territory, as negotiations on this point, before the completion of the line and the publication of the tariff, would be premature.

#### **Russo-Japanese War Echoes—British Shipping Claims.**

**Mr. G. H. FABER** (Boston): I beg to ask the Secretary of State for Foreign Affairs seeing that it is now more than a year since the Russian Government recouped the German shipowner for the sinking of the steamship "Tetartos," and that in no single instance has compensation been obtained for any British vessel destroyed by Russian warships, in defiance of International law, during the war in the East, will he say if the Russian Government claims a prescriptive right to sink British vessels on the high seas, and if such claim applies to British vessels alone.

**SIR EDWARD GREY:** The circumstances in which compensation was paid in the case of the German ship "Tetartos" were explained in the Answer given to the hon. Member on July 13th last, and His Majesty's Government have no reason for assuming that any other or different course will be followed in the cases of British ships in which the Russian Supreme Court of Appeal have found that the vessel was not liable to confiscation. Some of these cases are still pending before the Russian tribunals, but His Majesty's Government have done all in their power to expedite decisions. In one British case, that of the "Ikhona," the decision has been substantially the same as in that of the "Tetartos." The action of the Russian naval officers, in sinking certain neutral vessels of various nationalities during the hostilities with Japan, was taken in pursuance of Paragraph 21 of the Russian Naval Regulations published in the *London Gazette* of 18th March, 1904, which, though His



Majesty's Government are unable to admit, the Imperial Government maintain are not inconsistent with generally recognised principles of International law. The Hague Conference disclosed a difference of opinion amongst the nations on this point, and it is one of the questions on which it is to be hoped some understanding will be reached with Maritime Powers at the Conference to be held in London towards the end of this year. There is, however, no ground for the suggestion that the right was claimed by Russia with regard to British vessels alone.

MR. PIKE PEASE (Darlington): May I ask, Sir, whether, considering the time that has elapsed, some real reason for some of these delays cannot be given to the House? I have raised the same question in reference to various other ships.

SIR EDWARD GREY: Some progress has been made. In one case, that of the "Ikhona," a satisfactory decision has been given, and in one or two others we are doing all we can to expedite matters, though I admit the progress is very slow.

#### **Russian Officers in the Persian Army.**

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether he will make friendly representations to the Government of Russia with a view to recalling the Russian officers who are leading the Shah's troops against the Nationalists and in that way jeopardising the lives of Europeans.

SIR EDWARD GREY: I presume that the hon. Member refers to Tabriz. My information is to the effect that no Russian officers are to participate in the operations there.

DR. RUTHERFORD: Is it not the fact that Russian officers have been ordered to lead the Shah's troops to Tabriz?

SIR EDWARD GREY: My information is that their instructions are that they are not to take any part in the operations.

SIR EDWARD SASSOON: May I ask whether it is not the fact that certain Russian officers have been for years past in command of Persian troops in Teheran?

SIR EDWARD GREY: There have been for years certain Russian officers connected with a brigade of Cossacks at Teheran.

#### **Old-Age Pension Regulations.**

MR. BOTTOMLEY (Hackney, S.): I beg to ask the President of the Local Government Board whether he will consider the amendment of Regulation 24 of the Old-Age Pensions Regulations, 1908, by enlarging the membership of sub-committees, having regard to the present system of grouping of boroughs for the purposes of the Act; and whether, in the event of there being a surplus from the Treasury grant in respect of the initial period, he will endeavour to arrange for such surplus to be carried forward for the purposes of the future administration of the Act, in addition to the sum provided by the Treasury scale.

THE CHANCELLOR OF THE EX-CHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I will answer this Question for my right hon. friend. Substantive Regulations under the Act are being signed to-day and will be issued this week in place of the provisional Regulations now in force. From these my hon. friend will see that his first point has been anticipated by the addition of a proviso to Regulation 24 permitting the Local Government Board in special circumstances to sanction either a greater or smaller number for the membership of a sub-committee. As regards the second point, I fear it would not be possible as a matter of accounting to carry forward balances in the manner suggested; but I will certainly cause a careful note to be taken of any savings which a pension committee may succeed in effecting out of the amounts placed at their disposal by the Treasury during the initial period for administrative expenses, and I will see that due credit is given them for their virtue, should the same committees find it necessary



to come to the Treasury for indulgence on a future occasion.

#### **Government Contracts and the Fair Wages Clause.**

**MR. RAMSAY MACDONALD** (Leicester): I beg to ask the Secretary to the Treasury if he can state when the Report of the Departmental Committee, appointed to consider the administration of the Fair Wages Clause, may be expected.

**MR. LLOYD-GEORGE**: I am informed that the Report will be completed in the course of a few days.

#### **Paupers and Old-Age Pensions.**

**MR. McHUGH** (Sligo, N.): I beg to ask Mr. Chancellor of the Exchequer whether he can state the number of persons of seventy years and upwards in England, Ireland, and Scotland, respectively, who are at present inmates of workhouses, and who have received outdoor relief since 1st January, 1908; and can he state the intentions of the Government as to an amendment of the Old Age Pensions Act in respect of such persons.

**MR. LLOYD-GEORGE**: As regards the first part of the Question, I understand from my right hon. friend, the President of the Local Government Board, that no precise information is available as to the number of persons over seventy years of age who are inmates of workhouses at the present time, or who have been recipients of outdoor relief since 1st January last. It has been estimated, however, that the number might be taken as 287,000, comprising 236,000 in England and Wales, 19,000 in Scotland, and 32,000 in Ireland. I should add that in this estimate the total number in workhouses and other Poor Law institutions has been taken at 77,000, and the number in receipt of outdoor relief at 210,000. As regards the latter part of the Question, I am not at present in a position to add anything to the very full statements which were made on behalf of the Government, when the Bill was under discussion in the House of Commons, respecting their policy with regard to disqualification on account of receipt of poor relief.

#### **Hop Substitutes in Beer.**

**MR. COURTHOPE** (Sussex, Rye): I beg to ask Mr. Chancellor of the Exchequer when the promised legislation to apply the Hop (Prevention of Frauds) Act to imported hops, and to prohibit the use of hop substitutes and chemical preservatives in beer, will be introduced.

**MR. LLOYD-GEORGE**: As I said in my reply of 27th July last to my hon. friend the Member for the Cirencester division of Gloucestershire, it is proposed to introduce at an early date a Bill to prohibit the use of hop substitutes in the brewing of beer in the United Kingdom, provided general assent is secured to put it through during the autumn session. The question of the marking of foreign hops will be dealt with at the same time.

#### **Irish Land Act Finance.**

**CAPTAIN CRAIG**: I beg to ask Mr. Chancellor of the Exchequer whether he is in a position to inform the House of the details of the scheme submitted to the Treasury by Sir Alexander Henderson to raise £40,000,000 at 2½ per cent. to relieve the present deadlock in land purchase in Ireland; whether the Treasury have accepted the proposal; and, if not, will he say why?

**MR. LLOYD-GEORGE**: No definite scheme for raising a sum of £40,000,000 at 2½ per cent. interest has been laid before the Treasury. Suggestions have indeed been made and discussed for the temporary raising of funds by the issue of short-dated securities which might be expected to command better terms than the guaranteed 2½ per cent. stock. But such proposals are open to the objection that they provide merely for a postponement of the present difficulties. Whether any ultimate advantage could be gained would depend upon the price at which stock might have to be issued when the time came for paying off the short securities.

#### **Home Industries.**

**CAPTAIN CRAIG**: I beg to ask Mr. Chancellor of the Exchequer whether, in the event of the special protection granted to tobacco-growing in Ireland proving a success in promoting that industry he will extend protection to other

home-grown commodities for a like purpose.

MR. LLOYD-GEORGE: I can make no such promise. The slight financial encouragement given to tobacco-growing in Ireland would not justify the Government in taking measures which would hamper every other industry in the United Kingdom with protective duties.

MR. JAMES HOPE (Sheffield, Central): Will a like advantage be extended to sugar-beet-growing in this country?

MR. LLOYD-GEORGE: I have promised sympathetic consideration to any definite proposals that may be made on that subject.

CAPTAIN CRAIG: And in the event of this experiment with tobacco proving a success will the system be extended to the flax-growing industry in the North of Ireland?

[No Answer was returned.]

#### Old-Age Pensions.

SIR EDWARD SASSOON (Hythe): I beg to ask Mr. Chancellor of the Exchequer whether he will state for the area of each local pension committee the number of persons who have claimed an old-age pension under the provisions of the Old-Age Pensions Act, 1908.

MR. LLOYD-GEORGE: I am afraid that I am not yet in a position to answer the Question of the hon. Baronet; but, as I stated in the House yesterday, in answer to a Question put to me by my hon. friend the Member for Fulham, I have already called for a return of the total number of applications which have been received up to the present time.

#### Pension Officers.

SIR EDWARD SASSOON: I beg to ask Mr. Chancellor of the Exchequer how many Inland Revenue officers have been called upon to undertake the duties of pension officers; how many of these devote the whole of their official time to pension duties; and how many Inland Revenue officials, other than pension officers, are engaged on duties arising out of the Old-Age Pensions Act.

MR. LLOYD-GEORGE: The number of Inland Revenue officers who have been called upon to undertake the duties of pension officer is approximately 1,660. It is not possible to say without full inquiry how many of these devote the whole of their official time to pension duties, but the number is not large—probably under 200. The number of Inland Revenue officials other than pension officers (and excluding collectors) who are engaged—in part—on duties arising out of the Old-Age Pensions Act is (as regards the Excise Branch), approximately, 290.

#### Old-Age Pension Regulations.

MR. BOWLES (Lambeth, Norwood): I beg to ask Mr. Chancellor of the Exchequer if he can state how many and which Departments have issued regulations or instructions with regard to the administration of the Old-Age Pensions Act; whether all these regulations or instructions will be laid upon the Table of the House; and, if so, when?

MR. LLOYD-GEORGE: The regulations made by the Treasury in conjunction with the Local Government Board and the Postmaster-General and the Local Government Boards for Scotland and Ireland under Section 10 of the Old-Age Pensions Act (which have been in force as provisional regulations since 20th August last) are being signed to-day, and will be presented to both Houses of Parliament forthwith, in accordance with that section. Financial instructions to pension committees and sub-committees have been issued by the Treasury with regard to the expenses which may be incurred by them and the remuneration of their clerks. I will lay a copy of those on the Table. No other instructions have been issued, except by way of directions given by public Departments to their own officers. These I am not prepared, for reasons which I explained yesterday, to lay on the Table. Apart from the Regulations and Instructions, properly so-called, I understand that the Local Government Board (and also the Local Government Boards for Scotland and Ireland) have addressed advisory Memoranda to councils which are required by the Act to appoint pension committees. My right hon. friend the

President of the Local Government Board is, I understand, prepared to lay those issued to councils in England and Wales, and my right hon. friends the Secretary for Scotland and the Chief Secretary will no doubt take the same action with regard to the Scottish and Irish Memoranda, if they are asked to do so.

**LORD R. CECIL** (Marylebone, E.): I beg to ask Mr. Chancellor of the Exchequer whether any instructions have been issued to the pension officers in connection with the Old-Age Pensions Act; whether such instructions were secret, and, if so, why; and whether it is proposed to lay such instructions upon the Table of this House.

**MR. LLOYD-GEORGE**: Apart from the instructions to pension officers contained in the Second Schedule to the Regulations, the only instructions given to pension officers are directions of a Departmental character regulating the manner in which they are to discharge their official duties. Such directions necessarily contain a large amount of matter which it would not be in the interest of the public service to publish, and they are, in accordance with the general rule respecting Departmental instructions of this nature, to be regarded as confidential. For this reason, I am not prepared to lay particulars of the instructions which have been given upon the Table.

**LORD R. CECIL**: I beg to ask Mr. Chancellor of the Exchequer whether any instructions have been issued to pension officers directing them in estimating the means of a claimant not to take into consideration furniture to the value of £30; if so, under what powers such instructions were issued; and whether they intend to enable the Government of the day to make any other, and, if so, what, alteration in the conditions for a pension.

**MR. HAROLD COX**: At the same time may I ask Mr. Chancellor of the Exchequer whether the Board of Inland Revenue has issued instructions to pension officers to deduct £30 from the value of furniture possessed by claimants for

pensions, estimating the means of such claimants; and under what clause of the Act this deduction is authorised.

**MR. LLOYD-GEORGE**: I will, if my hon. friend the Member for Preston will permit, reply to this and the Question in similar terms in his name at the same time. Departmental instructions had been given to pension officers by the Board of Inland Revenue that in the preparation of their Reports upon the means of claimants they may disregard furniture and personal effects actually belonging to and used by the claimant, not exceeding £30 in value. This instruction has been given under the general powers which a public Department possesses to direct its own officers. It is, of course, in no way binding on the pension committees who, if they are dissatisfied with the report, are quite at liberty to refer it back to the pension officer for further investigation. The duty of estimating the means of a claimant rests, under the Act, not upon the pension officer but upon the committee, subject to appeal to the Local Government Board. It is thought, however, that it would be a waste of labour to conduct meticulous inquiries into the precise value of ordinary articles of furniture, household utensils and clothing in the possession of claimants in every case. Such information will, however, always be obtained if called for by the committee. The interpretation of Section 4 of the Act rests with the Committees, subject to appeal to the Local Government Board, and there is no intention on the part of the Government to prejudge questions which may arise under that section or to withhold from committees any information which they may deem to be necessary for the proper discharge of their statutory duties.

**LORD R. CECIL**: Are the pension officers bound to obey these instructions on pain of dismissal?

**MR. LLOYD-GEORGE**: Certainly they are expected to obey the instructions given by the Board of Inland Revenue.

**LORD R. CECIL**: Seeing any amendment of the Act such as the right hon.

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Gentleman has made by his instructions would clearly have been out of order and could not have been made by the other House, may I ask if the right hon. Gentleman claims, as a Minister of the Crown, to make modifications in an Act of Parliament which the House cannot now consider?

**MR. LLOYD-GEORGE:** I do not agree with the noble Lord as to the interpretation of the Act. These instructions are purely a liberal, fair and, I think, commonsense interpretation.

**MR. HAROLD COX** asked whether the right hon. Gentleman was aware that the instructions to the pension officers were to take into account all food and clothing, and whether it was more meticulous to take into account all furniture than all food and clothing.

**MR. LLOYD-GEORGE:** I am not sure to what my hon. friend is referring. If he will refer me to the section I will see.

**MR. HAROLD COX:** I refer to the instructions already published in the *Daily Telegraph*.

**MR. CLYNES** (Manchester, N.E.) asked whether the Government had been informed by the noble Lord that it was his intention to assist in removing this restriction making it necessary to give these instructions to the pension officer.

**LORD R. CECIL** asked the Prime Minister whether he would give any opportunity to discuss this very serious invasion of the rights of the House.

[No Answer was returned.]

#### **Royal Warrant Holders.**

**MR. CLAUDE HAY** (Shoreditch, Hoxton): I beg to ask the Secretary of State for the Home Department whether he will ascertain and communicate to the House of Commons the nature of the steps taken by the heads of the various Departments of the Royal Household through which warrants are granted to insure observance of the particulars clause and other provisions of the Factory and Health Laws.

**THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): As my right hon. friend pointed out to the hon. Member on 9th July, firms holding Royal Warrants are subject to the same regulations and inspection as other firms. The due observance of the provisions of the Factory Acts is a matter for the Home Office, and not for the Departments of the Royal Household.

#### **Motor Vehicle Smoke Nuisances.**

**MR. MACKARNESS:** I beg to ask the Secretary of State for the Home Department whether any instructions are given to the police in London to take proceedings to check the growing nuisance to the public from the reckless discharge of oil smoke by motor vehicles; and in how many cases have prosecutions been instituted within the last twelve months, and with what results.

**MR. HERBERT SAMUEL:** As my right hon. friend stated in reply to a Question on this subject from the hon. Member on 2nd June last, the Metropolitan Police can and do take disciplinary action in the case of motor cabs and motor omnibuses discharging oil smoke, since a condition of their licensing is that: "the lubrication of the engine or the carburation of the working mixture must be so controlled that smoke is not projected with the exhaust, or from any other part." But in the present state of the law, legal proceedings cannot successfully be taken against drivers of motor vehicles where the emission of smoke is due to any temporary or accidental cause, which my right hon. friend understands is practically always the case.

**MR. MACKARNESS** asked how many prosecutions have been instituted.

**MR. HERBERT SAMUEL** replied that he was not aware if there were any actual prosecutions, but in 1906 over 300 omnibuses were reported for emitting smoke, and in 1907 over 150. These would not be allowed to be used again until the defects had been remedied.



\***MR. STUART WORTLEY** (Sheffield, Hallam) asked whether the power to prosecute was limited to licensed vehicles.

**MR. HERBERT SAMUEL** asked for notice.

#### Middlesex Sessions Sentences.

**MR. W. THORNE** (West Ham, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the sentences passed by Sir Ralph Littler at the September Middlesex Sessions upon two labourers, one aged twenty-one, who had stolen apples to the value of 1s., was sentenced to three years penal servitude and two years police supervision, and another labourer, aged forty, was sentenced to twelve months hard labour for stealing three penny eggs; and whether he can see his way to have the sentences reduced.

**MR. HERBERT SAMUEL**: My right hon. friend is making inquiry with regard to these cases, but I would remind the hon. Member that under the Criminal Appeal Act of last year a prisoner convicted on indictment can apply to the Court of Criminal Appeal for leave to appeal against his sentence if he alleges that it is excessive.

\***MR. REES**: Will the right hon. Gentleman also inquire whether these labourers were taking the advice of the hon. Member for West Ham?

**A LABOUR MEMBER**: That is very cheap.

**MR. W. THORNE**: I wish some of them would.

**MR. H. C. LEA** (St. Pancras, E.): In view of the severity, not to say brutality, of the sentences inflicted by this magistrate, cannot the Home Secretary pension him off as soon as possible?

\***MR. G. D. FABER** (York): Was the labourer, aged forty, who was sentenced to twelve months hard labour found guilty of robbing a hen-roost?

[No Answer was returned.]

#### Lieutenant-Colonel Ley and the Cat.

**MR. G. GREENWOOD** (Peterborough): I beg to ask the Secretary of State for the Home Department whether he is aware that on 24th September last Lieutenant-Colonel W. G. Ley, commanding the 1st North Staffordshire Regiment, was charged before the justices at Aldershot with cruelty to a cat; that the justices found that the case had been proved, but nevertheless declined to convict; and whether he proposes to take any action in the matter.

**MR. HERBERT SAMUEL**: My right hon. friend's attention has been called to the case but he has no power to interfere.

\***MR. G. GREENWOOD**: Did the magistrates in this case act under the Probation of Offenders Act, and, if so, did they decline to convict on the ground that the case was a trivial one?

\***MR. SPEAKER**: The Home Office are not responsible for the decisions of the magistrates.

#### Police Protection in England.

**CAPTAIN CRAIG** (Down, E.): I beg to ask the Secretary of State for the Home Department if he can state the number of persons at present under police protection, special and by patrol, in England.

**MR. HERBERT SAMUEL**: My right hon. friend regrets that it is impossible to give this information.

#### Inquiry into Factory Accidents.

**MR. RAMSAY MACDONALD**: I beg to ask the Secretary of State for the Home Department when an announcement will be made regarding the Committee to be appointed to inquire into accidents in factories.

**MR. HERBERT SAMUEL**: I hope in the course of a few days.

#### Drury Lane Performing Horse.

**MR. CARR-GOMM** (Southwark, Rotherhithe): I beg to ask the Secretary of State for the Home Department if his attention has been drawn to the stage representation of a horse falling from a precipice which is being shown at Drury



Lane theatre; and whether the Home Office inspector has satisfied himself that there is no ill-treatment of this horse in the performance.

MR. HERBERT SAMUEL: Theatres are not under Home Office inspection, but my right hon. friend has made inquiry into this matter, and he learns that the measures taken are such that there is no ill-treatment of the horse.

#### **Accidents through Motor Traffic.**

MR. MACKARNESS: I beg to ask the President of the Local Government Board whether he can state how many accidents arising from motor traffic throughout England and Wales have been reported to the police during the months of June, July, and August in 1907 and 1908, respectively; and in how many cases those accidents have been fatal.

MR. HERBERT SAMUEL: I beg to answer this Question on behalf of my right hon. friend. The police throughout England and Wales have been asked to forward at the end of this year a Return for the period from 1st May to 31st December, 1908, of all accidents in streets, roads or public places, which have come to their knowledge, caused by motor or horse-drawn vehicles respectively, resulting in death or personal injury. Figures for last year could not be collected.

#### **Railway Companies' Agreements.**

MR. WARDLE (Stockport): I beg to ask the President of the Board of Trade whether his attention has been called to the action of certain railway companies in entering into agreements and arranging to pool receipts; and whether, in view of the provisions of the Acts of Parliament establishing these railways and of the danger which would result from the formation of a gigantic railway trust or series of trusts, the Government propose to take any, and if so, what action.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): This matter has engaged my attention; I am informed that the most far-reaching of the arrangements proposed, namely, that of the Great Central, Great Eastern, and Great Northern Companies will be

embodied in a Bill and submitted to Parliament for approval. As to other arrangements which are being entered into by various companies, and which do not, in the opinion of those companies, require Parliamentary or other sanction, my hon. friend may rest assured that the working of such arrangements will be most carefully watched, and should experience show that they operate detrimentally to the public interest, His Majesty's Government would not hesitate to take or to propose to Parliament the measures required by the situation.

MR. WARDLE: Is the right hon. Gentleman aware that under Section 17 of the Act of 1844 he has full power to deal with this matter?

MR. CHURCHILL: I am making very careful inquiries. I shall, of course, watch very carefully over any powers which may be in the possession of the President of the Board of Trade under the law, and also if any opportunity arises conveniently for putting them into force.

MR. H. C. LEA: Is the right hon. Gentleman aware that the action of the railway companies referred to in this matter has sensibly added to the unemployment which is existing in the country, and especially in my own constituency?

MR. CHURCHILL: I am not familiar with the circumstances mentioned by the hon. Member.

#### **Midland Railway Friendly Society.**

MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade whether the Midland Railway Company are compelling a large number of their platelayers, who are from thirty to forty years of age, and who have been many years in the employ of the company, now to join the Midland Friendly Society although many of them are already members of other friendly societies; and, if so, whether, as the company did not exercise their prerogative under the Midland Friendly Society's Act, he will take the matter up.

**MR. CHURCHILL:** The Board of Trade have no information on this subject, but I understand that the Midland Railway Friendly Society comes within the purview of the Departmental Committee now considering the superannuation and similar funds of railway companies. I would suggest that the hon. Member should bring the matters to which his Question refers to the notice of that Committee.

**MR. HUDSON:** Is not this a matter of administration, seeing that this friendly society got its powers by Act of Parliament? Will the right hon. Gentleman see that the men do not suffer?

**MR. CHURCHILL** suggested that the best thing would be for the hon. Member to put the case before the Committee which was now investigating the Question. If, however, there was any element of urgency perhaps the hon. Member would communicate with him privately.

**MR. WARDLE:** Is the right hon. Gentleman aware that these men are being discharged now if they do not join this particular fund?

[No Answer was returned.]

#### Strangford Bar Lights.

**CAPTAIN CRAIG** (Down, E.): I beg to ask the President of the Board of Trade how many vessels have been wrecked in the vicinity of Strangford Bar, County Down, during the past two months, and the approximate value of the loss sustained; and what progress, if any, has been made towards lighting that dangerous part of the Irish coast.

**MR. CHURCHILL:** Two vessels have stranded in this vicinity during the last two months, of which one floated off without assistance, while the other—a Swedish vessel—became a wreck. In addition to these, four vessels have stranded off other parts of County Down, South of Donaghadee, one becoming a wreck. I cannot say what the value of the loss will prove to be. The Board of Trade have sanctioned an expenditure of £1,000 on the establishment of a whistle buoy carrying a white acetylene light off the entrance of Strangford

Lough. The Commissioners of Irish Lights state that as the establishment of this buoy may take some time they are meanwhile having an ordinary lighted sounding buoy placed on the selected position with the least possible delay.

**CAPTAIN CRAIG:** Can the right hon. Gentleman indicate even roughly how long it will be before the light is provided?

**MR. CHURCHILL:** There will be the least possible delay, but I cannot say what that phrase means in the case of the Irish Lights Board.

**CAPTAIN CRAIG:** We have now been trying to get it for three years. Surely it is time something was done?

**MR. CHURCHILL:** Well, an expenditure of £1,000 has been sanctioned, and pending the completion of the whistling buoy a temporary buoy is to be placed there.

#### Derelicts on the High Seas.

**MR. LONSDALE** (Armagh, Mid.): I beg to ask the President of the Board of Trade whether he is aware that the United States Government have decided to place in commission a special vessel for the destruction of derelicts on the high seas; and whether, having regard to the danger which these derelicts constitute to navigation, he will represent to His Majesty's Government the desirability of fitting out a British vessel for similar work on this side of the Atlantic.

**MR. CHURCHILL:** I have seen a statement in the newspapers that the United States Government have decided to establish a special vessel for the purpose of destroying floating derelicts on the high seas. The question of dealing with floating derelicts was very fully considered by a Committee in 1894. That Committee reported to the effect that the danger from collision with derelicts in the open sea is very small, that the chance of discovering such derelicts would be infinitesimal; that the destruction of certain classes of derelicts when found is a work of great difficulty and might create additional dangers; and that the cost of such an

undertaking would be out of all proportion to any possible benefit. Having regard to the Report of the Committee I am not prepared to recommend the fitting out of a vessel for the destruction of derelicts.

#### **Hop Industry Labour.**

MR. COURTHOPE: I beg to ask the President of the Local Government Board how many persons are estimated to have been employed as labourers and as pickers in the hop industry this year and in previous years; and whether so great a decrease in the number of persons employed in this industry has taken place in any previous year.

MR. CHURCHILL: I regret that I have no further statistical information upon this subject than that referred to in my reply to the hon. Member's Question on 18th February last.

#### **Postal Revenue from Limericks.**

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Postmaster-General whether, in view of the fact that the recent increase of profits upon postal orders is mainly due to Limerick competitions, and having regard to the fact that such competitions have now been declared by the High Court to have been lotteries, he proposes to retain, for the purposes of the public service, the profits made by his Department in connection with such lotteries.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I have no right to inquire the purpose for which postal orders are bought, nor to abandon any revenue derived from their sale.

MR. BOTTOMLEY: Has not the right hon. Gentleman himself publicly stated that the profit arising from these postal orders was largely due to Limerick competitions?

MR. SYDNEY BUXTON: What I said was that there had been a very considerable increase in the sale of postal orders and a corresponding addition to the revenue of the Post Office.

#### **Dutch Milk Frauds.**

MR. BOLAND (Kerry, S.): I beg to ask Mr. Attorney-General whether he is now in a position to say what steps, if any, have been, or will be, taken to institute further proceedings against Messrs. Cleeve Brothers for selling Dutch condensed milk under a description calculated to convey that the product was Irish.

THE ATTORNEY-GENERAL (Sir W. ROBSON, South Shields): It is not intended to take any further proceedings in this case. Such proceedings if taken would be by way of special case, setting out the facts as found by the learned magistrate. On those facts, as the magistrate was prepared to state them, those concerned in the case are of opinion that an appeal would not succeed, and I do not feel justified in differing from them.

#### **Ennistymon Disturbances.**

MR. HALPIN (Clare, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that forty-three young men from Doolan, Tolea, and Lisdoonvarna, having been summoned to attend the Petty Sessions Court at Ennistymon, were quietly walking into Ennistymon to attend the Sessions when they were set upon by a body of police and batoned, many persons being seriously injured; and whether he will have a sworn inquiry into the conduct of the district inspectors and police who committed this attack.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): The police authorities inform me that on 30th September a case of cattle-driving was heard at Ennistymon Petty Sessions. On the morning of that day, and before the hearing, an organised procession approached the village, carrying a banner inscribed: "Down with the landlords," and accompanied by a band playing music. The police repeatedly requested the party to take down the banner, and warned them that band playing would not be allowed in the vicinity of the courthouse. The crowd ignored the warnings of the police, and attempted to force their way into the village. Upon being prevented, they

attacked the police with sticks and stones, and several policemen were injured. The police thereupon dispersed the crowd by a baton charge, and took possession of the banner and two drums. After the case had been disposed of by the Court, a crowd collected outside the courthouse, and again attacked the police with stones, and this crowd also was dispersed by baton charges. It was the duty of the police to preserve order in the vicinity of the courthouse, and this duty appears to have been effectively discharged. I do not propose to hold any inquiry into the matter.

**MR. WILLIAM REDMOND** (Clare, E.): Will the right hon. Gentleman say whether there was anything illegal in exhibiting a banner bearing the words: "Down with the landlords," and whether several local clergymen protested strongly against the action of the police, and that their version of what happened was entirely different from that of the police themselves.

**MR. BIRRELL:** There are always disputes about such matters. I have stated the account given by the police, and as to its accuracy I have no reason to doubt it.

**MR. WILLIAM REDMOND:** Then I will call attention to the matter at an early date, and point out that the word of a priest is at least as good as that of a policeman.

#### **Ballinamallard Evicted Tenant.**

**MR. FETHERSTONHAUGH** (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application from Mrs. Mary Fyffe, of Curran, Ballinamallard, County Fermanagh, to be restored as an evicted tenant; if so, have they put her on the list as a suitable person; and have the Estates Commissioners acquired in County Fermanagh any untenanted land or other land suitable for the restoration of evicted tenants under the Evicted Tenants Act or otherwise.

**MR. BIRRELL:** The Estates Commissioners have received the application

referred to, and have noted it for consideration when allotting untenanted land. The Commissioners have already acquired 140 acres of untenanted land in County Fermanagh, and are negotiating for the purchase of other lands. They have also initiated proceedings for the compulsory purchase of 338 acres in the county under the Evicted Tenants Act.

#### **County Cork Evicted Tenants.**

**MR. WILLIAM ABRAHAM** (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the number of evicted tenants in Cork County who have applied to the Estates Commissioners for reinstatement; how many have been restored to their former holdings or provided for on lands purchased by the Commissioners; what number still remain to be reinstated or provided with other farms on lands acquired or to be acquired; and what is the extent of the lands in the county for the purchase of which the Commissioners are in negotiation.

**MR. BIRRELL:** The Estates Commissioners have received 1,043 applications from County Cork, of which 574 have been refused after investigation. One hundred and twenty-two applicants have been reinstated or provided with new holdings, and 208 applications have been noted for consideration in connection with the allotment of untenanted land. The remaining 139 applications were received since 1st May, 1907, and therefore have not yet been inquired into. The Commissioners are negotiating for the purchase of 11,416 acres of untenanted land in the county.

#### **Grehan Estate (Cork) Evicted Tenants.**

**MR. WILLIAM ABRAHAM** (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain whether the Estates Commissioners are aware that Mr. John J. Therry, junior, Mooresfort, County Tipperary, would be disposed to surrender the evicted farms he is in possession of on the Grehan estate, County Cork, for the purpose of the reinstatement of the evicted tenants on that estate; if the Commissioners would provide him with land of equivalent



value elsewhere; and whether inquiry will be made into this matter.

**MR. BIRRELL:** As I have already informed the hon. Member, Mr. J. J. Therry is judicial tenant of the farms in question. The Estates Commissioners are not aware that Mr. Therry is willing to surrender the farms on being provided with land elsewhere, but they are prepared to consider any representation to that effect which he may make to them.

#### **Police Protection in Ireland.**

**CAPTAIN CRAIG (Down, E.):** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the number of persons at present under police protection, special and by patrol, in Ireland.

**MR. BIRRELL:** On 30th September, 104 persons were receiving constant police protection in Ireland, and 252 were receiving protection by police patrols.

#### **Crime in Ireland.**

**CAPTAIN CRAIG:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the number of outrages in which firearms were used, cattle-drives, boycotting, and other cases of intimidation which were brought under the notice of the police since the House rose, and the number of persons convicted.

**MR. BIRRELL:** During the period in question twenty-seven offences were committed in which firearms were used, and in three of the cases persons are awaiting trial. The number of cattle-drives was seventy, and in respect of these cases fifty-six persons were ordered to find bail, of whom forty-seven were committed to prison in default of giving bail. Twelve other persons are awaiting trial upon charges of riot and unlawful assembly. There were five cases of intimidation, in one of which proceedings are pending. On 31st August there were sixteen cases in which persons were wholly boycotted, ten cases of partial boycotting, and 188 cases of minor boycotting.

#### **Kerry Evicted Tenants.**

**MR. BOLAND:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a copy of the resolution passed by the Kerry County Committee of Agriculture on 21st September with reference to the cases of evicted tenants in the County Kerry; and whether effect will be given to the terms of the resolution.

**MR. BIRRELL:** I have received a copy of the resolution in question, and have referred it to the Estates Commissioners, who inform me that they are taking all possible measures to effect the reinstatement of evicted tenants.

#### **Exhibitions for Gaelic.**

**MR. BOLAND:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the resolution of the education committee of the Gaelic League, which has been forwarded to the Intermediate Board, requesting that the addendum to Rule 49 be varied so that the exhibitions assigned be allotted in proportion to the number entering for examination in each division, or that the division of the literary course be abolished; and whether effect will be given to this resolution.

**MR. BIRRELL:** I am informed that the resolution in question is being considered by the Intermediate Education Board at their meeting to-day.

#### **Phoenix Park Police Depot.**

**MR. WALTER LONG (Dublin, S.):** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the existing strength of the police force at the Phoenix Park depot; what proportion of the force is effective for duty in the country should it be considered necessary to further augment local establishments; and whether the 750 men by which the strength of the force generally has been supplemented during the past twelve months have all been recruited.



**MR. BIRRELL:** The existing strength of the force at the Royal Irish Constabulary Depot and sub-depot is 764 men, including 179 Reserve and 535 recruits. The majority of the Reserve men and 70 of the recruits are immediately available for duty in the country if required. The remaining recruits are in various stages of training. All the 750 men by which it was decided to increase the force, have been recruited.

#### **Dungiven School Teacher.**

**MR. LONSDALE** (Armagh, Mid.) On behalf of the hon. Member for North Armagh, I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if Mr. John Harrington, late National School teacher at Dungiven, has been dismissed by the Roman Catholic priest of Dungiven, the Rev. E. Loughrey, and, if so, on what grounds; and will he say if Mr. Harrington has any appeal against such dismissal.

**MR. BIRRELL:** The Commissioners of National Education inform me that on 19th July last, the Rev. Mr. Loughrey, who is the manager of the Dungiven Boys' School, notified the appointment of a new teacher in the place of Mr. John Harrington who had resigned on 29th April.

#### **Galway Extra Police Charges.**

**MR. LONSDALE:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Tuam Rural District Council have decided to postpone carrying out necessary public works on the ground that next year they would have thrown upon the district £13,000 or £14,000 for extra police and cattle-driving claims; and whether he will state when he proposes to take effectual measures to suppress practices which impose such heavy charges upon the ratepayers.

**MR. BIRRELL:** The Tuam Rural District Council is reported to have postponed the consideration of certain proposals for works because of the charge for extra police. There are at present 350 extra police in County Galway, and the charge upon the county at large is at the rate of about £12,000 per annum. I understand that about one-sixth of the

total falls upon the Tuam Rural District. The Government are taking all possible measures within the ordinary law for the suppression of disorder. The extra police force will be removed as soon as the condition of the county warrants the adoption of that course.

#### **Government Unemployment Proposals.**

**MR. STAVELEY-HILL** (Staffordshire, Kingswinford): I beg to ask the Prime Minister whether he is in a position to indicate the nature of the practical legislative proposals of the Government on the subject of unemployment; and when he proposes to present them to Parliament.

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY** (Mr. ASQUITH, Fifehire, E.): No, Sir. As I said yesterday I hope to make a statement next week.

**MR. FENWICK** (Northumberland, Wansbeck): Has the Prime Minister's attention been called to a speech made by the President of the Local Government Board at Tynemouth last night, in which he stated that he believed no legislation dealing with the unemployed question would be introduced? I should like further to ask—

**\*MR. SPEAKER:** Notice had better be given of the Question.

**MR. KEIR HARDIE:** Can the Prime Minister say on what day his statement will be made? In view of the urgency of the question, can he say definitely whether it will be made on Monday?

**MR. ASQUITH:** I cannot say that it will be on Monday. It will be early next week.

#### **Motor Traffic Dangers.**

**MR. MACKARNESS:** I beg to ask the Prime Minister whether, in view of the feeling which has been evoked in all parts of the country by the injury and danger to life and property caused by the abuses of the motor traffic and the failure of the existing law to deal with those abuses, His Majesty's Government will take steps to amend the Motor Car Act of 1903.

**MR. ASQUITH:** There can be no doubt that considerable feeling has been aroused in many places by the inconsiderate driving of motor cars, and representations have been made to the Local Government Board on the subject. On 19th September last, the Board issued a circular to local authorities drawing attention to the provisions of the Act of 1903, and impressed upon the authorities the importance of the enforcement of the law. I hope that the effect of this circular may be to bring about a more systematic enforcement of the law, but my hon. friend may be sure that the matter will not be lost sight of.

**MR. CATHCART WASON** (Orkney and Shetland) asked if steps could not be taken to prevent these abuses by persons in high places who continually set the law at defiance?

**\*MR. SPEAKER:** Notice should be given of that Question.

#### Select Committee on the Hop Industry.

**MR. COURTHOPE:** I beg to ask the Prime Minister when a day will be given for the discussion of the Report of the Select Committee on the Hop Industry.

**MR. ASQUITH:** I am afraid that I cannot make any promise of a day for the discussion of this Committee's Report.

**MR. HAROLD COX:** Will the right hon. Gentleman ascertain from the Committee whether hops are or are not raw material?

[No Answer was returned.]

#### Irish Land Purchase Deputation.

**MR. WILLIAM O'BRIEN** (Cork): I beg to ask the Prime Minister whether he will receive the joint deputation, representing the landowners and tenants of the South of Ireland, which was appointed at the recent meeting in Cork to lay before the Ministry their views as to the threatened deadlock in land purchase.

**MR. ASQUITH:** I have been invited to receive the deputation mentioned in the Question, but after giving the

request my best consideration, I have come to the conclusion that no useful purpose could be served by my doing so. The Government are already acquainted with the views of the persons who would compose the deputation, and we shall be prepared within a very short time to state to the House our proposals, which can then be advantageously considered on their merits. I need not say that we shall always be glad to receive and consider any representations that may be offered to us by hon. Gentlemen opposite on matters like this which specially affect Irish interests.

**MR. WILLIAM O'BRIEN** asked the Prime Minister whether he could name any precedent for this refusal to give even a hearing to a deputation in the highest degree representative of all parties and all classes in the south of Ireland upon a question of the most vital moment to the future of that country. Did the right hon. Gentleman seriously suggest that speeches delivered at a public meeting were to be accepted in lieu of the detailed and reasoned arguments the deputation were prepared to submit to him?

**MR. ASQUITH:** I am sorry to say that in the existing practice and in the state of expectation which at present prevails, I should spend the whole of my time receiving deputations if I were to accede to every request made. I do not in the least undervalue the importance or representative character of the deputation referred to, but I can assure the hon. Member that we are fully in possession of their views and are giving them the most careful and respectful consideration.

**MR. WILLIAM O'BRIEN** asked the right hon. Gentleman to reconsider his decision in view of the fact that within two or three weeks the operation of this Act practically came to an end, and that the prospects of peace in Ireland would come to an end with it; also whether in view of the declarations of all the Liberal leaders in 1903, published that morning the right hon. Gentleman would give some reasonable facilities for discussing the question before the Ministry came to a very likely to a hostile decision upon it.

Would the right hon. Gentleman give a couple of hours for the discussion?

**MR. ASQUITH:** No, Sir; the Government will state their proposals within a short time, and then, no doubt, there will be opportunities for subsequent discussion; but I cannot anticipate.

**MR. WILLIAM O'BRIEN:** I can only give notice that if these proposals are of a nature to smash the agreement of 1903, I for one, will throw the responsibility on those who propose them.

**MR. WALTER LONG:** Can the right hon. Gentleman give us any idea of the time when he will be able to make the statement? There is very great anxiety throughout the whole of Ireland as to this very urgent question.

**MR. ASQUITH:** The statement will not be made by me in any case, but by the Chancellor of the Exchequer or by the Chief Secretary. There will be, however, no avoidable delay. If the right hon. Gentleman will put down a question for Monday I will see about it.

**MR. T. M. HEALY (Louth, N.)** asked whether the Prime Minister had not consented to receive that day a deputation from the Scottish National and Denominational Temperance Associations, and whether the interests involved there were not much smaller than in the Irish question.

**MR. ASQUITH:** Yes, I did receive a deputation to-day from Scotland, but I cannot assent to my hon. friend's description of it.

#### **Irish Licensing Laws.**

**MR. FETHERSTONHAUGH:** I beg to ask the Prime Minister whether he is aware that the number of licensed public-houses per head of the population is much greater in Ireland than in England, that there is no provision for reduction of the number of licences in Ireland, that till very recently the number was constantly and enormously increased, and that the licensing laws are chaotic and badly enforced; and does the Government propose to introduce any general

measure of licensing reform for Ireland in the next session of Parliament.

**MR. ASQUITH:** The hon. Gentleman is quite correct in saying that the number of licensed houses per head of the population is much greater in Ireland than in England, and that there is no special provision for the reduction of licences such as exists here. Since 1901, up to which year there had been a slight progressive increase in the number of publicans' licences, there has been a small but steady decline in the numbers annually issued. My right hon. friend the Chief Secretary has expressed a hope that licensing legislation for Ireland will not be long delayed; but the Government cannot at the moment make any pledges with regard to such legislation for next session.

**\*MR. PATRICK WHITE (Meath, N.):** Will the right hon. Gentleman give an assurance that the Licensing Bill for Ireland will not proceed on the same lines as the English Bill?

**MR. ASQUITH:** I can say nothing as to that.

#### **Mr. Churchill's Dundee Speech on Home Rule.**

**CAPTAIN CRAIG:** I beg to ask the Prime Minister whether the statement of the President of the Board of Trade at Dundee on 9th October on the subject of Home Rule was made with the sanction of the Cabinet; and, if so, will a Bill be introduced dealing with the matter before the present Government go to the country.

**MR. ASQUITH:** Owing to the pressure of other duties, I have not been able to read the statements made by the President of the Board of Trade.

**CAPTAIN CRAIG:** I shall repeat the Question on Monday.

#### **Electric Lighting Bills.**

**MR. A. J. BALFOUR (City of London)** asked whether, in view of the importance of the private Bills dealing with the supply of electricity, it would not be possible to come to some arrangement whereby

they could be considered at a quarter-past eight and not at eleven o'clock at night. He also asked whether a day could not be set apart for dealing with some other very important but non-contentious measures.

MR. ASQUITH said that he was quite disposed to agree with the right hon. Gentleman it would not be satisfactory to take these Bills after eleven o'clock, and he would consider whether an arrangement could be made which would admit of these important Private Bills being taken at the time customary for private business. Perhaps he might be excused giving a definite answer until communications had taken place through the ordinary channels.

MR. GRAYSON ORDERED TO WITHDRAW.

At the conclusion of Questions—

MR. GRAYSON (Yorkshire, W.R., Colne Valley) said: I rise to move that this House do immediately adjourn to consider a matter of urgent public importance. I refer to the question of the unemployed.

\*MR. SPEAKER: I must remind the hon. Member that no Motion for the Adjournment of the House is possible under the Resolution which the House passed. When the Licensing Bill stands first upon the Orders a Motion for the Adjournment may not be made, but it is open to the hon. Member to make it on any day when the Licensing Bill does not stand as first Order.

MR. GRAYSON: In the circumstances I feel—the crisis of unemployment is so great, when people are starving at this moment in the streets—that we must ignore those rules.

\*MR. SPEAKER: I am afraid the House is bound by the restrictions which the House itself made.

MR. GRAYSON: Then I must personally refuse to be bound by such rules. It is all very well for you well-fed men to shout "Sit down," but I will not, and I decline to be a party to the Licensing

Bill taking up the attention of the House while the people are demanding human legislation.

\*MR. SPEAKER: I must ask the hon. Member to resume his seat while I am standing.

MR. GRAYSON: With all deference to you, Mr. Speaker, I cannot possibly sit down in this House to allow discussion, in the ordinary routine way, to go on. I feel too much my duty.

\*MR. SPEAKER: Do I understand the hon. Gentleman refuses to sit down when I rise?

MR. GRAYSON: Well, Sir, if you rise to give me an explanation I will sit down, but I refuse to sit down while the next business is called in this House. With all respect—[Cries of "Order," on both sides of the House.]

\*MR. SPEAKER: I have given the hon. Gentleman, with every courtesy, the explanation of the circumstances which prevent him, under the Rules the House itself has passed, from raising the question he desires to raise at the present moment, and I have pointed out to him that possibly another opportunity may occur for him to raise it. I would suggest to him that he should wait until that day arises, when he will be able to raise the question.

MR. GRAYSON: But in the intermediate period people are starving, and I feel this is a matter which one must insist upon. [Cries of "Order" and "Sit down."]

MR. GRAYSON: I refuse to sit down.

\*MR. SPEAKER: If the hon. Gentleman persists, I must ask him to discontinue his speech.

MR. GRAYSON: I feel I cannot discontinue my speech.

\*MR. SPEAKER: Then I must ask the hon. Gentleman to withdraw from the House.

**MR. GRAYSON:** If you send your machinery of force to move me I will go.

**\*MR. SPEAKER:** If the hon. Gentleman will not withdraw of his own accord I must ask the Serjeant-at-Arms to remove him.

**MR. GRAYSON:** I am willing to leave the House, because I feel degraded in a company that will not consider the unemployed. I believe that I have the unemployed mandate behind me asking for legislation from the House at this moment. [Cries of "Withdraw" and "Order."] Oh, yes, you well-fed human beings can say "Order, but the unemployed have been goaded into disorder. I refuse absolutely to be bullied into silence.

**\*MR. SPEAKER:** Do I understand that the hon. Member declines to withdraw?

**MR. GRAYSON:** I absolutely refuse to be bullied into silence.

**\*MR. SPEAKER:** Serjeant-at-Arms, will you kindly remove the hon. Member?

**MR. GRAYSON:** I leave the House with pleasure. You are traitors to your class. You will not stand up for your class. You traitors.

The hon. Member then withdrew.

#### SELECTION (STANDING COMMITTEES).

**SIR WILLIAM BRAMPTON GURDON** reported from the Committee of Selection; That they had discharged the following Members from Standing Committee A (in respect of the Tuberculosis (Ireland) Bill): **Mr. Attorney-General**, **Mr. Secretary Gladstone**, **Mr. Herbert Samuel**, and **Colonel Seely**; and had appointed in substitution (in respect of the said Bill): **Mr. Birrell**, **Mr. T. W. Russell**, **Mr. Solicitor-General for Ireland**, and **Dr. Cooper**.

**SIR WILLIAM BRAMPTON GURDON** further reported from the Committee; That they had added to a Standing Committee A the following Fifteen Members (in respect of the Tuberculosis (Ireland)

Bill): **Mr. Walsh**, **Mr. Cullinan**, **Mr. William Redmond**, **Mr. O'Malley**, **Mr. Nannetti**, **Mr. Nolan**, **Mr. Hazleton**, **Sir John Tuke**, **Mr. Gulland**, **Mr. Glendinning**, **Mr. Sloan**, **Captain Craig**, **Mr. Fetherstonhaugh**, **Mr. Hugh Barrie**, and **Mr. Robert Price**.

**SIR WILLIAM BRAMPTON GURDON** further reported from the Committee; That they had discharged the following Member from Standing Committee B (in respect of the Housing, Town Planning, etc., Bill): **Sir Edward Strachey**; and had appointed in substitution (in respect of the said Bill): **Mr. Munro Ferguson**.

**SIR WILLIAM BRAMPTON GURDON** further reported from the Committee; That they had added to Standing Committee B the following Fifteen Members (in respect of the Criminal Appeal (Amendment) Bill [Lords]): **Mr. John Taylor**, **Mr. Vivian**, **Mr. Hills**, **Mr. Walter Guinness**, **Mr. Abel Smith**, **Viscount Morpeth**, **Lord Willoughby de Eresby**, **Sir John Dickson-Poynder**, **Mr. Ryland Adkins**, **Mr. Bateman Hope**, **Mr. Alden**, **Mr. Barran**, **Mr. Montagu**, and **Sir John Dewar**.

**SIR WILLIAM BRAMPTON GURDON** further reported from the Committee; That they had discharged the following Member from Standing Committee C (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): **Mr. Rees**; and had appointed in substitution (in respect of the said Bill): **Mr. David Davies**.

Reports to lie upon the Table.

#### LICENSING BILL.

Considered in Committee.

(In the Committee.)

Clause 3:

**\*MR. COURTHOPE** (Sussex, Rye) moved the omission of subsection (1). That subsection really contained the whole essence of the Bill. All the iniquity, as they on that side of the House thought it, of the Bill was concentrated in this subsection. It was so opposed, in his opinion, to common



justice between man and man that he could not imagine any moderate-minded man who would support it. He could not believe that the many moderate men who sat on the benches opposite could really in their hearts approve of it. The only class that he could think honestly approved of it would be perhaps the Socialists who denied the legal existence of private property, or the fanatics who might possibly argue that the importance of the end to be acquired justified any means for obtaining that end. In the whole course of this Bill, this amazing offspring of so-called Liberalism, there was no more vicious section than the one whose omission he was now moving. By it the State proposed to rob the individual—he used the word “rob” purposely, because he was sure it was the right one—of property acquired in all honesty and innocence, of property the existence of which the State had always recognised, and the value of which the State had always taxed. By this subsection, at the end of a period of fourteen years, all the value of licences existing at that time would disappear so far as the private owners of those licences were concerned. The value of that loss to the individual was perhaps rather difficult to assess accurately, but right hon. and hon. Gentlemen on the Government benches put it so high as £300,000,000 as recently as 1904, and it had dwindled down in their estimation by various stages till finally, when large figures became very inconvenient, it reached the moderate sum of £65,000,000. The exact figure did not concern him for the moment. It was in any case an enormous mass of property, the existence of which would come summarily to a close at the end of the period if this subsection passed. At the end of that period the applicant for renewal, as it was now called, of a licence would have in the first place to pay full monopoly value for that licence. He would have to give notice of his application, which he had not to do at present; he would have to submit to any fresh conditions that the licensing justices might think fit to impose, conditions to which he was not subject at present; he would not receive any written notice of objection to a renewal, as he now received; the evidence that could be heard against a renewal

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need not be on oath, and there would be no appeal. All those changes in procedure were, he submitted, imposing a very great hardship indeed on those who conducted the business of licensed premises in this country, but it was not so much with the details of the procedure and the inconvenience of the proposed procedure, as to the financial question that he was concerned. The owners of these licences had to contribute, for fourteen years, or whatever the period might be, compensation for the extinctions of other licences, and at the end of that time they themselves would be extinguished without compensation at all, and the monopoly value, which they at present rightly and equitably possessed, would lapse into the hands of the State. The monopoly value had been estimated at so large a sum as £19,000,000 per annum. At all events, without in any way connecting himself with the definite figure, he was well within the mark when he said that many millions which were annually the property of the private individual would in future be annexed by this clause and become the property of the State. No possible justification for such a course as this could be found unless the present holders of these licences held them without any legal or moral right. But they had been bought in the open market; they had been bought and sold quite honestly, and as between individual and individual the right of property in them was certainly well established and just. As to the question as between the State and the individual, there again he thought it was clear that the right of the individual to the property in these licences was well established. They had been recognised by the Courts of the country; they had been held as good security for mortgages—mortgages based not on the value of the buildings, but on the value of the licensed buildings. They had been considered good security for debenture issues, issues of stock which had always been looked upon as trust stock, and in which trustees had for many years been in the habit of investing the money placed in their hands. In every possible way the Courts and the Government of this country had recognised the private ownership of these licences, and when he said licences he included the expectation

of continuity in such licences. Certain supporters of the Bill would argue, he knew, that the brewers and those interested in them would not be ruined, or suffer so severely by the proposal of this section as some said, because they would be able to establish a sinking fund to pay off their mortgages, debentures, and one thing and another. He was not concerned whether the brewers could or could not keep their heads above water under this proposal. He was opposing it, not because they could or could not afford it, but because it was wrong, and he, therefore, would not attempt to enter into the question of whether these sinking funds could be raised or not. Did the monopoly, as the supporters of the Bill affirmed, in any way to-day belong to the State? He admitted that the State created it, but he contended that the State never held it and never looked upon it as State property. The State parted with the monopoly centuries ago, when they first created it, and he would like in this connection to quote a sentence from the book, "The History of the Liquor Licences of England," by Sidney and Beatrice Webb, whom, he thought, even the right hon. Gentleman the Member for Spen Valley would admit were not likely to put the case of "the trade" too strongly. They, speaking of the period as far back as 1552, said—

"What was of importance was the fact that Parliament, from the outset, implied that the number of licences was to be kept down to just enough for the supply of the legitimate wants of each neighbourhood, thus creating a sort of monopoly. Moreover, there was no idea of selling this monopoly to the highest bidder, and the justices were, in fact, required to issue their licence without charge."

That, he thought, showed that historically the monopoly value was parted with as soon as it was created by the State, and because the State now recognised that it had possibly made a bad bargain, and that it might be so much better off if it had retained that monopoly value in its own hands, the justice of its taking steps to resume possession of the monopoly value did not follow. What would the Courts of this or any other country say to the private individual who went to them and said: "I made a bad bargain, or my ancestors did centuries ago; give

me back what they parted with." He thought the Courts would use the old maxim, *vigilantibus non dormientibus lex subvenit*, and dismiss the case with costs on the higher scale, and that the country when it had the opportunity would use some such expression and would decline to allow the State to resume possession of a monopoly which it had never used, and which it had parted with for a consideration, to perfectly honest individuals. Another argument that supporters of this clause were in the habit of using was that, because the licence was to come up for annual renewal, therefore it was purely a matter for one year; there could not be any legal expectation of renewal, and it was in the same legal position as an application for a new grant. Surely that was not so. The statutory procedure in the two cases was totally different, as anybody with the slightest experience knew. The difference in procedure was to his mind conclusive proof that every Government recognised now, and had always recognised, the difference between an application for renewal and an application for a new grant. There were many other analogous cases where it would be perfectly futile for any Government to argue that there was no expectation of a renewal, simply because the licence had to come up for renewal each year. How about theatrical licences? Would the Government argue that there was no right of expectation of a renewal of a licence in the case of a licence for a theatre? He thought that was an analogy more on a par with a liquor licence than anything else. The right hon. Member for the Spen Valley was delightful in his choice of analogies, and in his pamphlet he selected the analogy of agricultural tenancies.

SIR THOMAS WHITTAKER (Yorkshire, W.R., Spen Valley): Oh, no. The hon. Member will excuse me; I never selected such an analogy.

\*MR. COURTHOPE said he read in the right hon. Gentleman's pamphlet—

"Property owners usually allow their tenants to continue tenancies from year to year without disturbance, but that does not in the slightest degree vitiate the right of the landlord to terminate one or all of the tenancies at the end of

any year, and to impose entirely new terms, and let the houses to new tenants or to decline to let them to anyone."

SIR THOMAS WHITTAKER: If the hon. Member looks he will see that the kind of tenant to which I referred was the tenant of a house or shop.

\*MR. COURTHOPE said that did not alter his argument. He certainly read them, and he thought most people would read the right hon. Gentleman's words as though they included agricultural land, and he believed they were intended to include agricultural tenancies.

SIR THOMAS WHITTAKER: It strictly excludes them.

\*MR. COURTHOPE reminded the right hon. Gentleman that it was not possible for the landlord to turn out his tenants or impose new terms, and if he attempted to do so, the State compelled the landlord to pay compensation for such disturbance, and the analogy broke down in every possible respect. Perhaps the most striking difference lay in the persons who paid the compensation. In the case of the liquor licences it was the unfortunate licencees themselves; in the case of landlord and tenant it was the landlord, who had disturbed the tenant. At all events, without pursuing this analogy further—[hear, hear]. He was not afraid to do so, but all he would say was that he really thought that the right hon. Gentleman the Member for the Spen Valley must admit by now that he could not get much comfort for his support of this measure from his analogy of landlord and tenant, whether it was the landlord and tenant of a shop or an agricultural tenancy. Another point, and the last with which he would weary the Committee, as showing that the State had recognised the existence of private property in these licences, and their value was, of course, the well-known case of the death duties. He thought everybody in this House was familiar with the Inland Revenue Memorandum of 1890, and he knew perfectly well that when the opponents of the Bill made use of it the supporters of the measure said: "You are quite wrong; you ought not to make use of that; it was

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withdrawn in 1904." Was it withdrawn in 1904? As far as he could make out the only case they could make for the withdrawal of this Memorandum was that some Home Office Return or Memorandum was issued which, to a certain extent, seemed to have taken its place. But he did not mind whether the Memorandum was withdrawn or not; the practice was not withdrawn and the assessment of licensed premises for death duties was still made up to the present year, on the assumption that the licences would continue during the lifetime of the successor. He did not know whether it was a point of much importance or not, but this Memorandum of 1890 had been reprinted this year, and he obtained a copy from the Vote Office. But he carefully guarded himself from making a point of it, because he did not know whether it could be made, but the fact remained that the practice continued, and how the State or anyone else arguing about the rights given could possibly contend that it would be honest or just as between the State and the individual suddenly to take back the monopoly value upon which the individual owners had been taxed for so long passed his comprehension. There was no doubt that every Government had always recognised the existence of this property and this value. Did not the owners of this kind of property already contribute their full share of taxation to the nation? He found upon looking up the figures that beer alone contributed 5s. 10d. per head of the population.

SIR THOMAS WHITTAKER: Who pays it?

\*MR. COURTHOPE: I do not say it is paid entirely by the trade.

SIR THOMAS WHITTAKER: No, the drinkers pay it.

\*MR. COURTHOPE said that alcoholic liquor as a whole paid 15s. 11d. per head of the population, or 27 per cent. of the gross revenue of the State. Whoever might ultimately pay the tax, it came primarily from the liquor trade, and reduced the gross profits of the trade by some £40,000,000 a year. He

thought that this class of property—every form of property connected with the sale of liquor—did its full share in providing the State with revenue. Arguments could not be found on that ground for placing an enormous additional burden on the trade. He would not enter into the question of period at all, because he regarded the principle of time-limit with concurrent compensation levy as bad altogether, and the evil only varied according to the length of the time-limit. He had not inquired as to the definition of “monopoly value” or whether there ought to be an Amendment of Section 4 of the Act of 1904, or of Section 20 of the Local Government Act of 1888, although he thought the right hon. Gentleman the Prime Minister must have overlooked the fact that a very interesting principle arose in connection with the Local Government Act of 1888, because when the Finance Act of 1907 altered the procedure for the collection of licence duties for local taxation it apparently affected also the question of “monopoly value.” Nor had he attempted to inquire at all whether or not certain brewery companies, or how great a proportion of brewery companies, would be ruined if this section found its way into the Statute-book. The point he made was that this clause set up confiscation, by statute, of such a kind that it would strike a serious and fatal blow at public confidence and public security; and that robbery of this kind by the State from the individual within the State was not only discreditable, but that it would place a lasting stain on the national honour. It was because it was impossible, or ought to be impossible, to impose a time-limit upon common honesty between man and man, or State and individual, that he begged to move that this sub-clause be deleted from the Bill.

Amendment proposed—

“In page 3, line 9, to leave out subsection (1).”—(Mr. Courthope.)

Question proposed, “That the words After the ’ stand part of the clause.”

Mr. LEVERTON HARRIS (Tower Hamlets, Stepney) asked whether the Prime Minister was now in a position to give a clear definition of the words

“monopoly value.” This was the first clause of the Bill in which the term occurred, and the whole meaning of the clause depended upon the interpretation put upon those words. He might say “monopoly value” was one of the foundations upon which the whole fabric of the Bill was built. In view of that they were entitled to ask, and to know exactly what the meaning of “monopoly value” was, by what machinery it was to be fixed, and upon what basis “monopoly value” was to be paid. He thought the Prime Minister appreciated the difficulty in which the House was placed by having to debate this Bill without knowing what was meant by “monopoly value,” because on the Second Reading the right hon. Gentleman intimated that he would embody a definition. The right hon. Gentleman then said that whilst he could not give a precise pledge—

“It may be as well in view of what I have said, that before the Bill emerges from the Committee stage, and I am saying this almost without consultation with my colleagues, and only throwing it out as my own suggestion, to define in terms in the Bill what monopoly value really means.”

The necessity for this definition had become more and more apparent as the discussion on the Bill proceeded. Although, as the President of the Board of Trade had said, “All the ablest intellects in this country are concentrated on this Bill,” they had had a great variety of definitions of the meaning of “monopoly value.” The strange thing was that in spite of all the able intellects none of these definitions agreed with the others. It appeared that there was not a single Member who had given a definition who understood what the other definitions meant. The necessity for a clear definition had been fully recognised by other members of the Government besides the Prime Minister. The Home Secretary, for instance, on the Second Reading of the Bill, said—

“I for my part agree with the suggestion thrown out by the Prime Minister that the insertion of a definition in the Bill will make matters clearer than perhaps they are at present.”

The hon. and learned Member for Reading also found himself in a maze of doubt, because on the Second Reading he said—

“We are told, I think by the Prime Minister, that we shall have to define what it means. I hope he will. For myself I do not know

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whether I have quite apprehended what is intended by the Bill in stipulating for the payment of monopoly value."

After all these valuable opinions from right hon. and hon. Gentlemen opposite he did not think anybody would be bold enough to contend that immediate necessity did not exist for some clear definition, to assist them in discussing this clause, of what the Prime Minister and the Government meant by the term "monopoly value." He remembered a scientific experiment being performed by which several rays of brilliant light were concentrated on one spot on a screen. The result instead of being increased illumination was only darkness. The Committee were very much in the same position with regard to this Bill. The result of the concentration of all these brilliant minds on this Bill was that the Committee was left in a dense fog and a deeper obscurity than before. He had taken the trouble to go through several speeches made by hon. and right hon. Gentlemen opposite on the question of monopoly value. He had read six speeches and had found ten definite and distinct definitions, five by the Prime Minister, two by the Home Secretary, one by the Solicitor-General, one by the hon. and learned Member for Reading, and one by the hon. Member for Spen Valley. The Prime Minister had made two speeches, one on the First Reading and one on the Second Reading, and in those two speeches had given five distinct definitions of monopoly value. If they took the first speech of the Prime Minister on the First Reading debate they would find that in that speech the right hon. Gentleman said—

"What the monopoly value really means is this, when it comes to be analysed. It means what people have been ready to pay, not for a right—there never was any right—but for an expectation, or to speak with strict accuracy for a double expectation. What do I mean by a double expectation? I mean, in the first place, the expectation that the licence once granted would, in the absence of misconduct, be periodically and indefinitely renewed, and, in the next place, an expectation that the justices would not allow effective competition with those to whom they had once granted it."

Those expectations were now destroyed, and were no longer to exist; that definition therefore could not hold with regard to the present Bill. He passed

*Mr. Leverton Harris.*

to the second declaration by the right hon. Gentleman—

"The problem to be solved is this. What is the additional rent which a person would pay for the house, with the privilege of the licence, as compared with the rent which he would pay for the house next door, carrying on in that house an unlicensed trade, and not enhanced, therefore, in value by a monopoly price?"

The right hon. Gentleman there put the definition in the form of a question the answer to which if it were given to him would not be satisfactory. He would put the question the other way. What would be the rent of a year's tenancy, at the end of which the tenant would be turned out, lock, stock, and barrel, into the street without any redress whatever? If monopoly value was to be defined on those terms the value which the Government would regain for themselves would be very small. He passed to the third definition of the right hon. Gentleman—

"The annual value of the licence is to be taken to be the sum by which the actual annual value of the licensed premises adopted for Schedule 'A.' of the income-tax exceeds the amount which the Commissioners of Inland Revenue determined would be that annual value if the premises were not licensed."

That seemed to be a practical, workable definition. It was the difference between two values not particularly difficult to ascertain. But when at last they thought they had got a definition upon which they could rely, in the very next speech which the right hon. Gentleman made, on the Second Reading of the Bill, he threw over the first three and gave a fourth definition. In the course of that speech he said—

"Measured in terms of rent it means, of course, what this publican tenant, in virtue of his receiving from the State a special privilege, which other classes of traders do not enjoy, would pay, as compared with that which would be given or offered by another tenant engaged in a business in which he was not similarly privileged. And, again, if you consider how the additional rent would be arrived at, it is pretty clear, I think, that it represents roughly, at any rate, the comparative extra profit——"

—the right hon. Gentleman there put it on a new basis altogether, the basis of rent—

"which the publican can make in virtue of his monopoly, as compared with the other tradesman, each being assumed to bring in, approximately, at any rate, the same amount of capital and to apply to his business the same skill and the same energy and the same enterprise."



In his fifth definition he said—

“If that is true—and I think it is, I do not think anybody will dispute it—the monopoly value, measured not as rent but as a lump sum, means the capitalised value of the difference between the licensed and the unlicensed rental of the premises. That is what is meant by monopoly value, I believe, in the Act of 1904—it is certainly what is meant by the Government in this Bill and in connection with this Bill, neither more nor less.”

To recapitulate these five definitions—they had monopoly value in terms of rent, first of all, additional rent as compared with a house which did not enjoy a licence. They had it, secondly, in the terms of an extra profit that the publican could make; they had it in the terms of an expectation that the licence would be indefinitely and periodically renewed, which was what the right hon. Gentleman told them it really meant. Definition four was the annual difference between Schedule A and the amount of the annual value if the premises were not licensed—that was to be the rule in the Bill; and then they got it lastly in the terms of capital or lump sum.

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.):** Does the hon. Member say any one of these definitions is inconsistent with any other?

**MR. LEVERTON HARRIS** said if any hon. Member could find any consistency in these definitions such as could be accepted in a Court of law in defining the meaning of the Bill, he would be very much surprised. The last definition to which he had referred had the approval of the Home Secretary, who in the same debate, after reading the Prime Minister's definition, gave a definition of his own in order to make it clearer—a positively expert definition. He said—

“It can be defined by saying the monopoly value is the difference between licensed and unlicensed premises.”

If anybody could accept that as an accurate definition for the purpose of an Act of Parliament on a matter which was absolutely the most critical in the Bill, and upon which the existence almost of 66,000 licensed premises was going to depend, he was a more careless politician than he would like to be

himself. Unlike the Home Secretary, the Solicitor-General refused to accept the Prime Minister's definition of capitalised value—in fact, he repudiated it altogether. He said—

“We make it impossible under the provisions of the Bill now before Parliament to have a lump sum at all. It is necessary for the licensing justices to fix the monopoly value year by year, and they cannot go any further.”

Then he gave an example of what would happen with regard to these houses—

“For the moment I will take the annual value instead of the lump sum. At £4,500 as the average monopoly value, at 4 per cent., you get £180 a year. That is sufficiently accurate for the purpose of my illustration.”

After listening to the First and Second Reading debates he could very well understand the maze of legal doubt in which the hon. and learned Member for Reading found himself when he made his speech with regard to this term of monopoly value. The Home Secretary, however, wanted to have a second shot in the prize competition, so he gave them another definition. This was Number 8—

“What would be the ordinary profit on the unlicensed trade? Say 6 per cent. What would be the profit on the licensed trade? That would have to be estimated in the first year, and ascertained from the books in succeeding years.”

Now they got a new method of arriving at it—

“Say it was 15 or 20 per cent. Take the difference between the two, allow something for good management and other considerations, as provided in Section IV. of the Act of 1904, and the result is the monopoly value—”

—of course, that was perfectly simple—

“which may be either capitalised in a lump sum and paid, as in some cases, already, or it may be in the form of an annual payment.”

Now they had got the Home Secretary throwing in his lot with both the Prime Minister and the Solicitor-General, and he said they might take it whichever way they liked. Definition Number 9 was that given by the hon. and learned Gentleman the Member for Reading. He also did not want to be left out in the cold, and thought he would try his hand at an exposition of what was meant by monopoly value—

“I understand that to be something in the nature of rent, which he will have to pay for the privilege granted to him. In a case where a public-house is producing a profit of £1,000

a year the authorities will not take the whole or anything like the whole of that amount. They will say that having regard to the scale on which they assess the privilege of selling liquor in the district, such a house should pay say, £150 or £200 annually for this privilege."

In this definition he left it to the authorities to say, having regard to the scale of the district, what the house should pay. Now the last definition was that of the hon. Baronet the Member for Spen Valley, whose opinion they greatly valued. He said—

"Monopoly value is distinct from and in addition to an ordinary trade profit. Under the new conditions the brewer will make the ordinary manufacturer's wholesale profit on his beer, and he will make the ordinary reasonable retail profit on his business, and it is only what is beyond and additional to this that is the monopoly value."

He was almost tempted to catch the infection and define monopoly value himself. If he had to define it he should say the monopoly value as the Bill was at present was exactly what a person would pay for the monopoly, and neither more nor less. When they asked themselves what would a person pay for a year's monopoly, he thought the sum of money which any publican would be prepared to pay for the tenancy of a house on which he had very likely to spend a good deal of money in fixtures, and from which he might be evicted into the street at the end of twelve months without any notice, without any compensation, and without any redress whatever, would be very small. Could anything really be more absurd than the position in which the Committee found itself? They were legislating for 66,000 public-houses whose future existence depended entirely upon the monopoly value that was to be charged under the Bill, and yet nobody had any idea whatever of what monopoly value meant. He wanted to ask the Prime Minister if he could give them any enlightenment on this profoundly important question.

\*MR. G. D. FABER (York) said the discussion must indeed be a momentous one, because on the first subsection of the clause depended the absolute fate of some 66,000 licensed properties, and right at the root, base, and foundation of the whole matter lay the question: To whom did the monopoly value in a licence belong? Could the supporters of the Bill make out

to the satisfaction of the people of the country that the monopoly value belonged to the State? Before Edward VI. there was free trade in the sale of intoxicants. He thought the proposition of the hon. Member for the Appleby Division absolutely erroneous. He had said that licences were based on prohibition. He joined issue with that. If they searched the archives of the past they would find that the matter began in free trade. Why had the Government of a former day begun to put its hand upon that free trade? The truth was, first of all, that it was for the improvement of the morals of the people. It was found then, and much later under the Duke of Wellington's Act that it did not do to give free trade in the sale by retail of drinks. Therefore, the Government started the licensing system; first and foremost, in order to control the morals of the people, and, secondly, for revenue, which was just as vital then as it was to-day. How many hundreds of millions had the Government got out of the drink trade? They had control of the morals of the people by instituting the practice of licensing, and they had raised hundreds of millions of pounds of revenue. Surely, if that were so, and he ventured to say it was, then the State parted with the monopoly value of licences for what lawyers called "good and valuable consideration." In return for the regulation and control of morals and revenue, licences were granted, subject to good behaviour, and through that system began monopoly value. That was the origin of monopoly value; it arose out of restriction and revenue. The Prime Minister, in his First and Second Reading speeches, said that the State had got a very small share, an infinitesimal share, of the monopoly value. With the greatest possible respect for the right hon. Gentleman's high position he disagreed with that method of stating the case. The State had got a very large share of the profits derived from the monopoly value.

How had the subject been treated during all these decades? Had anybody until recently ventured to set up the argument that the monopoly value lay with the State? No Judge at any time or anywhere had ventured

*Mr. Leverton Harris.*

to set up the proposition that the monopoly value belonged to the State. If they searched the pages of *Hansard* they would not find that any great statesman until quite recently had ever said that monopoly value lay with the State. He would like, in this connection, to quote the right hon. Member for the Spen Valley, who was "the Bill, the whole Bill, and nothing but the Bill." The right hon. Member in this matter was the shadow behind the throne. He had the greatest possible respect for the right hon. Member's talents and for his genuineness on this question, but he and the right hon. Gentleman looked at the matter from opposite ends of the pole. He respected his views because he meant what he said. In the debate on the Licensing Bill of 1902, when the proposition was made to bring grocers' licences for the first time under the control of the licensing justices, the right hon. Member supported it with all his undoubted powers of argument and of knowledge. He said that—

"In all licensing matters we have to choose between free trade and no value to the licence, and licence with a monopoly value. This is not a point which applies to grocers' licences only; it is a broad general principle. . . . These [grocer's] licences are a mere fraction of the total number of licences in the country, and whether or not this clause gives a monopoly value to them matters extremely little. We have given this monopoly value to the great bulk of licences, and to add a few thousand more will practically make no difference.

Later in the debate he said—

"They were told that it would give a monopoly value to these [grocers'] licences. That was inseparable from our policy of restriction. He admitted that the present system of licensing was not good, but these restrictions were better than none at all. Control involved monopoly. It was a choice of evils, but the position was clear. They must either have free trade or control, and if they had control they could not get rid of monopoly."

The importance of those quotations was this: How could the right hon. Gentleman now argue, in face of what he said in 1902, that the monopoly value lay with the State?

**SIR THOMAS WHITTAKER:** Will the hon. Gentleman excuse me a moment? The value is given to the licence and not to the licence-holder.

\***MR. G. D. FABER** said he could not accept that explanation. Did the right

hon. Gentleman really contend that his words meant that the value was merely given to the licence and not to the licensee?

**SIR THOMAS WHITTAKER:** Yes, it says so.

\***MR. G. D. FABER:** Why, the two were one and the same. There could not be a licence without a licence-holder. He was once a lawyer, now many years ago, though he had forgotten the little law he ever knew, but he tried not to split hairs. He believed that nine out of ten members of the Committee, if they referred to the quotation for themselves in *Hansard*, must come to the conclusion that what the right hon. Gentleman meant when he said that this monopoly value had been given to the great bulk of licences was that the State had given it in order to get restriction in return. Therefore, he could not be heard to argue now that the State was entitled to take that value back into its own hands whenever it pleased without paying one farthing. That was his first proposition, that wherever monopoly value lay, it did not lie with the State. His second proposition, in support of which he invoked the aid of the Law Courts and the whole practice of the Executive of this country, was that the value lay with the holder of the licence. It was strange that the course of politics should cause him that day to quote the late Mr. Gladstone in defence of the rights of property. In 1880, Mr. Gladstone—and he put this in the forefront of his argument—said—

"We ought not to allow our prejudices with regard to this particular trade, or our sense of the enormous mischiefs associated with its working, to cause us to deviate by one hair's breadth from the principle on which Parliament has always acted in analogous cases—namely, that where a vested interest has been allowed to grow up the question of compensation should be considered when such vested interests were proposed to be interfered with by Act of Parliament. What I am prepared to say is neither more nor less than this—that the licensed victualler has the same right to fair consideration that is enjoyed by persons following every other trade or calling which is interfered with by Act of Parliament, and to whom compensation is awarded owing to such interference."

That was rather different language from that used by the Chancellor of the Exchequer on 25th May at Edinburgh.

What a difference there was between the two right hon. Gentlemen in stating the same proposition. Mr. Gladstone spoke again on the same subject in 1890, but for the purposes of his present argument he could quote Mr. Gladstone's speech of 1890 with just as much point as his speech of 1880. In 1890, having the then recently decided case of *Sharpe v. Wakefield* in his mind, Mr. Gladstone said that every owner of licensed property must be taken to be aware of the law. He said—

“ I think it is one thing to say the publican has not, and cannot by any possibility have, any claim whatever under the provisions of the law as it now exists in regard to the non-renewal of licences that does not at once carry with it the consequence that if you fundamentally change the character of the law you bring in a state of things which the publican has no means of anticipating.”

That was why he quoted the speech of 1890 in aid of his argument.

MR. ASQUITH said that in the passage preceding the words quoted by the hon. Member, Mr. Gladstone said that in regard to the question of compensation if a general measure were introduced some arrangement of time might be made to soften the transition. Mr. Gladstone further stated—

“ I am bound to say that I reserve my own discretion upon that subject.”

[MINISTERIAL laughter.]

\*MR. G. D. FABER said he deprecated that laughter. The Government were introducing a change in the law which the publican had no means of anticipating, and by which his position was vitally altered, which was the point laid stress upon by Mr. Gladstone, and he was entitled to full compensation.

When a publican's compensation case came before the Law Courts, was it ever contended that full compensation should not be given, when the property was taken away for some public improvement, because the monopoly value of the licence belonged to the State? Such a ludicrous argument would never be brought forward by anybody. When it came to a question of rating property, did anybody say: “ Oh, no! The publican must not be rated as high as this; the monopoly value belongs to the State, and the publican has got to

hand it over sometime. Did any rating authority ever try to do anything of the kind? No, because the monopoly value for rating purposes was always included. When they came to the Inland Revenue procedure it was clear and there was no getting out of it, because it was all against the assumption that the monopoly value belonged to the State. The very instructive Instruction issued in 1890 by the Inland Revenue treated licences as a continuing property for the purposes of the death duties and valued them up to the hilt. Then came the Finance Act of 1894, introduced by Sir William Harcourt, which laid down that in valuing property they must take the market value. That did not alter the position. What the Revenue authorities did after 1894 was to value licensed property according to its value in the open market. And now, at the eleventh hour and fifty-ninth minute, they were told that a new set of Instructions in 1900 had altered the position. He denied that altogether. The Revenue authorities were still valuing licensed property according to its value in the open market. They valued it as a going concern. He prayed in aid of his argument the whole course of practice of the Inland Revenue. He would also like to pray in aid a further argument, namely, the action of the Secretary of State for War. What did he do in the matter of the “ Coach and Horses”? The “ Coach and Horses” was the property of the War Office, and had a reserve price put upon it with the cognisance of the right hon. Gentleman. A Minister of the Crown was supposed to know everything that went on in his Department, and the right hon. Gentleman would know that the “ Coach and Horses” had a reserve price of £10,000 put upon it. Sir William Dupree had the property knocked down to him at public auction for £10,000. What he wanted to know was this. Did the right hon. Gentleman sell the monopoly value or did he not? That value had been computed by a competent man at £7,500 out of the total sum of £10,000 paid. If he did not sell the monopoly value, why was the reserve fixed at £10,000, seeing that the house and land, without the monopoly value, were only worth £2,500? If he did sell the monopoly value, he was sure

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he must have been infinitely sorry for the unfortunate purchaser. From his appreciation of the right hon. Gentleman's character he was sure that his bowels must yearn over this poor unfortunate gentleman who had paid £10,000 for a property which, owing to the Bill now brought forward would only be worth £2,500—

**THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington):** As the hon. Member has succeeded in bringing me to my feet, I can assure him that the purchaser has publicly stated that he is well satisfied with his purchase.

**\*MR. G. D. FABER:** Ah! but no. He was only reading, yesterday, what Sir William Dupree had said. He said he was perfectly satisfied with his bargain if the Government would leave him alone. He would say with all good-humour that he did not think the right hon. Gentleman ought to have interrupted him without quoting the whole phrase. It was not often that a humble person like himself could get the Secretary of State for War on the horns of a dilemma, and he was not going to let him off. If the right hon. Gentleman knew, as he did know, that the Government were introducing a Bill smashing the monopoly value—transferring it from the individual to the State—was it quite fair to sell that property without saying a word about it? Probably, though, the right hon. Gentleman knew that this Bill had not a shadow of a shade, not a scintilla of a chance of ever becoming law, and that, therefore, Sir William Dupree would come out all right in the end. He, therefore, maintained that he had established a very strong presumption that the monopoly value did not belong to the State, but did belong to the individual. Was it fair or reasonable to put the State into this extraordinary position? Putting the argument at the highest for the State, it was a matter of grave doubt whether the State had any right to the monopoly value at all. Was it right to put the State in that position?—

“ You do it wrong, being so majestic,  
To offer it the show of violence.”

The Government represented the State and they were turning the State into a common robber. He deliberately used those strong words, knowing as a business man and as a banker, what a prejudicial effect this precedent would have on the security of property in this country. They were allowing the State for the first time in the history of the country to take away the property of the individual and appropriate it without paying a farthing of compensation. Let them not say that they were giving compensation. They were giving none at all. The compensation provided was not found by the State. It was being provided by the wretched individuals whom, at the end of fourteen years they were proposing not only to hang but to draw and quarter. They were going to appropriate without payment, the 60,000 licences odd, remaining at the end of the reduction period and they were not content with that, for under the new proposals put on the Amendment Paper at the last moment, local option was to have an opportunity to fix its tyrannous grasp on all licences left after the reduction period and sweep them out of creation altogether. [Laughter.] He did not think hon. Gentlemen opposite would laugh if they held licensed property. It was the late Sir William Harcourt or some equally wise man who said that one of the faults of the Radical Party was that they were apt to be conscious not so much of their own demerits as of those of other people.

He hoped this subsection would not be allowed to pass into law, for it would produce chaos during the next fourteen years, and a colossal wrong at the end of that period. During those fourteen years they were going to upset the whole licensed trade of the country. They were going to create pandemonium, because human nature would assert itself and everybody would be trying “to get out.” Of course, they would get a worse type of man in the public-houses; and human nature being what it was they would get a worse class of house. And why? Because everybody would be trying to get a little bit out of the general scramble. The Prime Minister would agree with him that it would be a very serious matter.



The holders of stock in brewery companies were of different classes—holders of debentures, holders of preference shares, and ordinary shareholders. Why, the passing of this Bill into law would necessarily drive all these different classes of shareholders at each others' throats. The ordinary shareholders who control the business, subject to the payment of the fixed rate of interest on debentures and preference shares, would say: "We will not have any sinking fund, because if we do, it will never reach us at the end of the fourteen years; it will be all swallowed up by those in front of us." If he were an ordinary shareholder, and in control of the business, he knew that he would not establish a sinking fund. He would get all the dividends he could during the fourteen years, because otherwise, at the end of the fourteen years he would be left. But would the debenture holder take this "lying down"? No; he would go to the Court and ask for a receiver. Then mark the extraordinary position that would ensue. The receiver might, or might not, conceive it to be his duty to set aside a sinking fund. All the different classes of shareholders would be torn by rival considerations. If the ordinary shareholders had a free run, would they establish a sinking fund for the benefit of the debenture or preference shareholders? There was nothing in the Bill to say that they should do so. He brought forward those considerations to show that they were only at the very beginning of the difficulty. All sorts of complications and injustices which could not have been foreseen by the framers of the Bill would inevitably arise.

He had tried to examine this matter on the merits of the case and on these only. He hoped he had shown to the satisfaction of hon. Gentlemen on his own side of the House, if not of those on the Government side, that by every rule of practice and right the value of the licence lay with the licence holder, and with nobody else.

**MR. ASQUITH:** The question which is raised by this Amendment is undoubtedly one of vital importance, and while I do not in the least complain of

*Mr. G. D. Faber.*

the length of the exhaustive speech to which we have just listened, I hope I may be able, in a comparatively short space of time, to put before the Committee that with which indeed they are already familiar, the position of the Government and the supporters of the Bill in regard to this matter. The issue raised by the Amendment is simply this: Whether the principle of a time-limit is sound, politic and just. The question of the length of the time-limit does not arise at this stage. It will be the subject of discussion on later Amendments. The issue raised by the hon. Member for Rye who moved the Amendment and which he quite fairly endeavoured to present, was that no time-limit, however long—it is not a question of duration at all—that no time-limit could be honourably or equitably introduced in legislation of this kind or indeed without violating the principles on which the security of property in this country depends. Very well, that was an easy thesis and upon that issue the division I apprehend will be taken. A good deal has been said in the course of the discussion, and very properly and relevantly said, as to the meaning that ought to be attached to the phrase "monopoly value." Because the essence of the time-limit is that on the expiration of a certain number of years, which I will call *x* years for the moment, it is the contention of the framers and promoters of the Bill that it is within the right of the State and that it is politic and expedient for the State to resume the monopoly value which the State itself has created in this particular form.

**MR. JESSE COLLINGS** (Birmingham, Bordesley): Without paying for it?

**MR. ASQUITH:** Yes, certainly, without paying for it out of the public funds. That is not a very relevant remark, but as the right hon. Gentleman makes it, I may remind him that I am strictly following the precedent of the Act of 1904, with regard to the source from which the payment is drawn. But that is not my point, I am dealing with the question of time—whether it is fair to say that after the expiration of a certain time it is within the right and is politic and expedient for the State to resume complete property in this monopoly

value. What is meant by monopoly value? The phrase is not of our invention. It is taken from the Act of 1904, and I must assume that to the framers of that Act it had some definite intention and intelligible meaning. I quote from the Act, Section 4, subsection 2—

“Such conditions shall, in any case, be attached as having regard to the proper provision for suitable premises and good management, the Justices think best adapted for securing to the public any monopoly value which is represented by the difference between the value which the premises will bear, in the opinion of the Justices, when licensed, and the value of the same premises if they were not licensed.”

Now, what better definition can you possibly have? Our definition is taken from the Act of 1904, and bears the same meaning with regard to those existing licences with which we are going to deal at the expiration of the time-limit as was in the minds of the framers of the Act with regard to new licences. An hon. Member who preceded me was good enough in the course of his interesting speech—and it must have cost him a good deal of unwelcome labour and perseverance to unearth them—to quote from two if not three speeches of mine no less than five definitions of monopoly value. I am very much indebted to the hon. Gentleman for the pains he has taken. I should not have thought it possible to have expressed five entirely different formulæ conveying exactly one and the same idea. I am most grateful to the service he has been good enough to give to my powers. What are all these definitions? A speaker is sometimes inconsistent with himself and sometimes with the utterances of his own colleagues; but the odd thing is that when the hon. Gentleman, pursuing his researches in this sphere of ministerial dicta, quoted from my right hon. friend the Home Secretary and my hon. and learned friend the Solicitor-General, and added two more links to his *catena*, they were all identical one with another. [Laughter.] Hon. Gentlemen laugh; but I ventured to interrupt the hon. Gentleman—with courtesy I hope—with what I think was a very relevant question. When he had come to an end of his citations, I said to him: “Will you kindly point out which of these definitions is inconsistent one with another?” and he

did not attempt the task, because the more he looked into them the more he found that they were perfectly consistent. There is no mystery about this matter at all. As the framers of the Act of 1904 very well knew, the monopoly value, to use their own phrase, of licensed houses, is the addition to the value they would fetch if they were used for other purposes than the carrying on of the monopolised trade. And that addition must be, in the long run, regulated by the additional profit which the person who tenders himself as the tenant of these premises expects to receive from the user of them in the exercise of the monopolised trade compared to that which he would get as the user in any other trade. It is the very simplest thing in the whole world. The hon. Gentleman thought I was guilty of inconsistency because I had suggested at different times and in different speeches different ways in which that monopoly value could be measured. It can be measured by additional rent; by assessment—the difference for which the premises would be assessed under Schedule A of the Income-Tax according to the purposes for which they were to be used; or by the capitalisation of the difference between the two rents or values as the case may be. Where is the inconsistency or the difficulty of defining the subject matter? It cannot be denied by anyone, and certainly not by any of the hon. and right hon. Gentlemen responsible for the Act of 1904, that that additional value does exist, and that it has been brought into existence by the State by granting the licence to the licence-holder, and that it can be properly described as monopoly value. The hon. Gentleman who has just sat down, with strange confusion of thought says that monopoly value does not belong to the State because you have given it to somebody else. But that is the foundation of the whole matter. I will comment for a moment on the word “given.” It is quite true, as my right hon. friend the Member for the Spen Valley has said in his pamphlet, that the State has given to the licence, by the fact that it confers a monopoly, a value of its own, and undoubtedly, as the law now is, persons have been in the habit of considering that having once, for one year, been permitted by the State to enjoy that

monopoly value, they are to be allowed to continue to enjoy it for an indefinite period. If it had not been for the expectation created by practice, there would have been no occasion for a time-limit at all. Why have we put a time-limit into the Bill? Simply to meet, not a strict legal or statutory claim—nothing of the kind. In the United States and in our own Colonies they have taken away licences over and over again without notice. We have inserted a time-limit simply because an expectation has grown up round the licence, and we thought it would be, not only ungenerous, but inequitable at once to bring to an end and to resume for the State a monopoly value of that kind. Is it denied that a time-limit is the proper way of dealing with this matter? That is the issue raised by this Amendment, and that is a point which I wish to bring keenly and clearly to the attention of the Committee, because it is the issue on which this matter turns. If what I have said is correct, the issue is this—it is an issue between treating the precarious privilege granted by an annual licence to the licence-holder, surrounded, as it has been in the past, with this atmosphere of expectation—between treating that as a thing which on due notice is terminable and rightly resumable by the State, or treating it as if it were a right of property in the full sense of being established under the law. Are you going to say they are the same thing? [An Hon. MEMBER: Yes.] Are you? I hear a rather feeble “Yes.” That is the issue raised by this Amendment. [Cries of “No.”] We are not dealing here with the question of time or the length of time; but we are dealing with the question whether there should be any time-limit which reason or justice may prescribe as suited to the necessities of the case, and without the payment of one penny of compensation out of public money. Is that denied? It is denied by those who support the Amendment and by the hon. Baronet the Member for the City of London, who has the courage of his convictions, and takes upon himself to say so. Yes; but is that the view of the whole of the responsible Opposition? If they vote for this Amendment I assume it is; but if they do, there must have been some singular

revolution going on in the minds of some of them. I am not going back into ancient history, not even so far back as the Act of 1904; but I will read a short passage from the speech of the right hon. Gentleman the Leader of the Opposition on the night this Bill was introduced. On that occasion he said—

“I have never supposed for a moment, nor did the other authors of the Act of 1904 suppose, that owners of licensed property had a freehold in that particular property; and I can quite conceive that after a term of years during which there was no disturbance you might say, ‘You have had time to insure, you have had a security of tenure which is less than freehold, and we give you ample time in which to make the necessary provision for the moment at which the State will resume the licence.’”

Is that still the doctrine of the right hon. Gentleman? It is not the doctrine of his colleague in the representation of the City of London, or of the hon. Gentleman who moved the Amendment. No, it is not, because the issue is not the duration of the time-limit, but whether the State, after giving a reasonable notice, equitable in all the circumstances and conditions of the case, can or cannot resume its property. We say it can, and my sole object in rising is to put that issue clearly. We say it can, and we evoke in support of that proposal the authority of no less a person than the right hon. Gentleman the Leader of the Opposition. When we come to the later part of the discussion on this clause we shall be prepared to listen to what may be said with regard to our particular proposals as to the length of time. But that is not the issue now before us, and I ask the Committee by an overwhelming majority to decide that the State can and will resume possession of a monopoly which belongs to it.

MR. A. J. BALFOUR (City of London): I do not complain of the right hon. Gentleman having quoted a passage from a speech of mine on an earlier stage of this Bill, for I adhere to every word of the passage he quoted. I have, indeed, uttered precisely the same doctrine on public platforms outside the House. I have said it elsewhere as I have said it here, and I believe that what I have said and what the right hon. Gentleman has quoted is absolutely true. Therefore, I do not complain of the right hon. Gentleman quoting those words, but

*Mr. Asquith.*

of his having utterly, though unintentionally no doubt, mis-stated to the House what is the issue on which we are going to vote. He says the issue is whether, in certain circumstances, which are not the circumstances which he has stated, you may conceive a sort of time-limit which will not interfere with the just rights of the licence-holders. That is an abstract proposition and I do not feel disposed to quarrel with it. What I quarrel with is not the proposals the Government might have made, but the proposals which they have made. What I complain of is that the Government having taken as the basis of their legislation the Act of 1904, have grafted on it wholly and utterly inconsistent principles making up a confusion the result of which is fundamentally and essentially inequitable, and that quite irrespective of the length of time, whether it be fourteen years or  $x$ , or whatever the time was, quite irrespective of the time-limit it is proposed to introduce into the Bill. Let me remind the House of the historical growth of this difficulty. The practice in the last century was undoubtedly that every licence-holder had a secure anticipation—I do not say a legal right—that, in the absence of misconduct, his licence would not be interfered with. On that anticipation money was borrowed, contracts were made, and very large and important businesses were erected. Certain magistrates, exercising what appeared to be a legal right, did, in certain cases, interfere with licence-holders and evict them from their premises, ruining them in the process, without any notice and without any compensation. Those magistrates were acting within their legal rights. I believe it was tried to upset them, but their action was upheld. I do not quarrel over that. What I say is that by that action the magistrates introduced a condition of things into a perfectly legitimate trade which you would tolerate in no other trade in the world. For evils far less than that you have passed legislation through the House of Commons—both Parties have been responsible for it—which was intended to prevent that particular kind of insecurity. It is not merely bad for the individual who suffers from it, but it is

bad for the whole management of the trade. We were face to face with that position. The number of licences actually reduced or that had any probability of being reduced, was extremely small under the old system. Why? Because it would be little less than iniquitous to reduce to beggary a perfectly innocent and well-behaved man carrying on a legitimate trade. Therefore, the existing system, as we found it, was not good for the reduction of licences, and it was not good for the cause of temperance. The magistrates were practically hampered in their desire to suppress unnecessary licences. They could not do that without gross and iniquitous injustice. We attempted to deal with that, and we attempted to deal with it in a manner which was not, I think, ungenerous to the trade, which was accepted by the trade, and which, by the consent of all mankind, has produced a very large reduction of licences, and that without any feeling of bitterness, injustice, or hardship in those immediately concerned. When we were passing that Bill which has been more grossly misrepresented by hon. Gentlemen opposite even than my considerable experience of their powers in that direction could have led me to believe, we were constantly told that we were endowing the licence-holders with a freehold. I have constantly at the time the Bill was before the House and since denied that, and I deny it now. I did not think then that we were endowing the licence-holders with a freehold right, and I do not think the Act of 1904 gave them a freehold right. I do not think at this moment that they possess a freehold right, and if anyone will refer to my statements on the Act of 1904, they will see that that was my view then. Anybody who listened to the quotation which the right hon. Gentleman read a few minutes ago will see that that was my opinion on the First Reading of this Bill. It was my opinion then, it has been the same in the interval, and it remains my opinion now. We have to deal with a genuine form of property which is less than a full freehold tenure. I am not here concerned to deny that if you are dealing with a form of property which is less than a freehold tenure you may imagine a term



years after which you may say to these people: "Your rights, which are less than freehold, are now exhausted." I have never denied that, and I do not deny it now. What I deny is that you have the smallest right to compel these people to pay compensation during a period of years to those whose licences are withdrawn, and then at the end of the term of years, after they have been paying this compensation steadily and patiently, allow their property to be taken away. The right hon. Gentleman has wholly mis-stated the issue before us. The issue before us is not whether we are dealing with a trade that has a freehold right to the licence. We are not arguing that point. I do not maintain it, my friends on this bench have never maintained it, and I do not believe anybody behind has maintained it. Do not let anybody go into the lobby thinking that is the issue which we have to decide. We have to decide a much more difficult and important issue, one which touches the rights of a very large class and, I think, a not undeserving class of the community. I beg every Member of the House who supports this Bill to ask himself whether, if you were dealing with Irish tenants or with English tenants of agricultural land, you would venture to argue as you are arguing about this Bill. You advance doctrines absolutely unsustainable in themselves, because the class against which you direct your legislation is an unpopular class. The long controversy about temperance has got so entangled and mixed up with the attacks upon licence-holders that there are vast bodies of men in this country who honestly but surely most foolishly and mistakenly believe they are serving the cause of morality by committing an injustice against a particular class. Those who are going to vote for retaining this subsection are, I am absolutely certain, whether they know it or not, making themselves parties to this iniquitous transaction. I ask anybody how he is going to justify this condition of things. A particular locality requires, and is admitted by all but extreme temperance reformers or fanatics—whichever word you like to use—to require, the services of a public-house. The magistrates give a licence to that public-house, and require the licensee to make very costly changes and

alterations in the building in order to fit it for a public object, which the licensing magistrates themselves admit is a public object which ought to be met. Having done that you tell this man, after he has made improvements and spent money—perhaps he has built a house specially suited for this purpose and not specially suited for any other—that henceforth he is to pay to a compensation fund in order that other people's licences may not be taken away without compensation. He admits he has not a freehold ownership of his licence, and contributes to that fund. When he has done that, and acquired all the rights of equity which that process involves, you go to him and say, "You have done an important public service and you will see your neighbour receiving compensation for the licence which will probably be withdrawn from him. Having carried out that public object we have to inform you that at the end of the fourteen years you will be turned into the street. You will be regarded as having no further title to carry on your business, on which you have spent a great deal of capital, on which you have borrowed money, on which you have entered into great obligations, and we consider this quite reasonable and equitable, because, after all, you must remember your tenure is something less than freehold." That I call a derisory statement. If the Government are so incapable of seeing what are the true equities of this situation, if they can make no distinction between the full title I have described for convenience as a freehold title, and that somewhat less but equally sacred title which by the commercial practice and by the practice of the Inland Revenue, and by the practice of the Government themselves when they are selling, regulates the trade, if they cannot see that that kind of property, though less than freehold property, is not less sacred and not less deserving of being carefully safeguarded, they are not fit to govern a great industrial community. I conceive that either the Prime Minister will speak again before this division is taken or that some of his colleagues will take part in the debate. I beg that colleague not to fall into the error which has beset the Prime Minister in his speech. D

*Mr. A. J. Balfour.*



not let him deal with an issue on which, I believe, there is no difference of opinion on either side of the House, but with the issue on which there is a difference of opinion. The issue is this. We say it is grossly inequitable, whether the term be fourteen years or any longer period, to require people to pay compensation for the abolition of public-houses, and then at the end to turn them out of their property, to render nugatory valueless improvements which they have made at the demand of the magistrates, and require them to lose not merely the additional property which is given them by the licence, but the property which is involved in the goodwill. Goodwill is a very important factor in the case. A man holding a licence and conducting a public-house may have a property not merely in the licence of the public-house, but in the goodwill which his good management or good fortune has enabled him to obtain. You have no more right to sacrifice the goodwill of a publican than you have to sacrifice the goodwill of a butcher or other tradesman. These are the real issues before the Committee in dealing with this subsection. It is not the abstract question whether licence-holders have or have not a full tenure. The real question is whether the scheme of the Government is by its nature and essence grossly unjust to a deserving body of the community—a body who have as much right to the protection of this House as any other class connected with either the retail or the wholesale trade of the country—its manufactures or its agriculture. For these reasons I shall most heartily support my hon. friend when he goes to a division. This is the crucial point of the Bill. The point has not, indeed, been put by the Prime Minister, but it has been put by my hon. friend. I believe that whether you turn fourteen years into twenty or however you may translate the  $\pi$  of the Prime Minister's speech into numbers, so long as the framework of your Bill remains unchanged so long will that Bill embody a real, substantial, and, I may even say, a gross injustice to those who have a right to fair treatment, honest treatment, the treatment which, whether the persons concerned be popular or unpopular, the Legislature

is bound to extend to every single one of His Majesty's subjects.

SIR THOMAS WHITTAKER said that the point which the Leader of the Opposition had made was one which was very familiar to those who were present during the discussion of the Act of 1904. The right hon. Gentleman's great objection was that during the time-limit the licence-holder, the property-holder, would have to contribute to a compensation fund for others. The real fundamental issue was, he (Sir Thomas Whittaker) thought, the amount of security which the licence-holder had in his licence. The phrase the right hon. Gentleman used was that he had a secure anticipation—therefore it was an anticipation or expectation, not a definite right, and an expectation might involve, and usually did involve, doubt and risk. It had always been his (the speaker's) contention that the trade knew the law and the risk—and he contended that they knew the risk was great. The prospectus of the Licence Insurance Corporation, asking for subscriptions, was not issued in 1904, but in 1891, before the benches to whom they had been told the Act of 1904 was due, commenced to take any action. This was a corporation providing a guarantee fund against the loss of licences. They did not establish a Licence Insurance Corporation unless there was a considerable risk. This corporation was not formed by an outside body of financial speculators to exploit the trade, but by the trade themselves. The document contained a list of the directors and founders of the corporation, and they included the representatives of some of the leading breweries—Ind, Coope & Co., Hall & Sons, of Oxford, and others. There was circulated with the prospectus a list of 350 breweries "supporting and welcoming insurance against this risk." People did not insure a freehold. [AN HON. MEMBER: "Against fire."] They did not insure the freehold against being taken over. [OPPOSITION cries of "Not yet," and "You will have to in future."] He wished to read what they said in this prospectus. This was the statement of the leading brewers of the country

as to the position of the trade and as to the position of the licences. The corporation was formed, as he had said, to provide a guarantee against the loss of licences. How was it welcomed? The prospectus said—

“A very large number of letters have been received showing that insurance against loss of licence is warmly welcomed by the trade.”

This did not indicate great security. Another paragraph said—

“Experience shows that prior to 1891 wherever additional security was procurable it was eagerly sought.”

These words would indicate that they were insuring something in the nature of an overdue vessel, or something of that sort. Then it said—

“A licence-holder obtaining a policy will be relieved of the uncertainty which has hitherto been so harassing where large capital has been embarked and is in jeopardy.”

That showed that the trade, or the 350 brewers, recognised that they were in the presence of serious risk, and that they had a precarious security. [Cries of “No.”] If there was not a serious risk, why did they say it was “so harassing”?

MR. YOUNGER (Ayr Burghs): They were insuring against the risk of losing a licence through a breach of the law by their managers.

SIR THOMAS WHITTAKER: Oh, no. It is a policy insuring the holder of the licence compensation in case of renewal being refused on the ground of “not required.”

MR. YOUNGER: Will the right hon. Gentleman read it through?

SIR THOMAS WHITTAKER: They insured against all risks, but that was one of them that was put forward. He would take the first paragraph of the prospectus—

“In consequence of the judgment of the House of Lords in *Sharp v. Wakefield*, and of the risks now incurred of non-renewal of licence, this corporation has been formed to insure and guarantee compensation to licence-holders for loss incurred in the event of non-renewal.”

It was that which harassed them, and it was that against which they wanted protection. It was after that they saw

*Sir Thomas Whittaker.*

230 breweries registered as companies, and it was during three years prior to that, while the case was still going on, that eighty-six more were registered. Then the public came in; they knew the risk, and the statement which he had quoted proved that they knew it. Now when the public were asked to come in, and when they put the prospectuses of their breweries before the country, were they equally frank? Did they tell the country that they were harassed? But they said something more in this document—

“Experience shows that wherever additional security is procurable, it is eagerly sought, and commands remunerative rates. It is, therefore, unquestionably only a matter of time for licensed property to become almost un-negotiable, unless additional security offered by such assurance is added.”

They knew the risk, and it was a great risk; they knew that these licences were precarious. The Leader of the Opposition had made a great point of the injustice, as he alleged, of levying compensation, and then, at the end of the time, that the licence-holder should get no benefit from it. There were many methods of insurance. They might insure against a temporary risk, or a contingent risk; and what was provided here was that during fourteen years the licence-holder should be secured in his holding of the licence, or should be compensated for such portion of the term as he lost. But he was not to have both the run and the compensation. He insured against the risk during that time. The right hon. and learned Gentleman opposite, who was Solicitor-General in the late Government, had properly described this as compulsory mutual insurance. If everybody had taken advantage of this Licence Insurance Corporation there would have been no necessity for the Bill of 1904; but they did not, and very probably could not avail themselves of the scheme. This prospectus showed, with the approval of 350 brewers, that it was the right and duty of the trade itself to provide its own insurance, and the Act of 1904 simply made that right and duty compulsory, and they were compelled to insure. They were to have their fourteen years run, or compensation for such portion of it as they lost; they could

not have both, and there was no iniquity about that. Let them go back to the basis of the whole thing. The hon. Member for York had gone into the history of the matter, and had referred to the Act of 1552, the object of which was, he said, to secure control. He agreed. But how was it done? By the power to control and to suppress or take away the right to sell; to prevent anybody and everybody from selling. That was the right given to the justices, the right "to do away with" houses, that being the expression used. That was the origin of our licensing system, the power of suppressing—the power to take away the right to sell. The moment they did that they began to create a value. If that power were exercised freely, they gave a value to the licence, and the more it was exercised the greater the value to those who obtained the privilege. By that means they interfered with the original object of the licence; that was, they interfered with their power of control. Their difficulty had arisen from the fact that these licences had become valuable in the market; they were valuable in the market because it was difficult to get them, and because, in the interests of the public, only a few were granted. Therefore, the exercise of this power interfered with the exercise of the very control which the hon. Member correctly stated was the object of the establishment of our licensing system. The object of this Bill was to restore to the nation the efficient control which it had lost through that process. The hon. Member had referred to the raising of revenue. It was a long while subsequent to the commencement of the licensing system that revenue was derived from licences, and there was not a great deal now. The revenue was from liquor and not from licences. But the hon. Member had developed a very ingenious theory out of this, namely, that it was a bargain; that if they paid, they were to have something in return. Where was the bargain recorded? Where was the document, where the deed, where the Act? It did not exist. There was no bargain.

\*MR. G. D. FABER: It was an equitable one.

SIR THOMAS WHITTAKER: There was no equitable bargain about it. The licence was granted for twelve months and no longer. That was the bargain. The hon. Member said they had given a monopoly value to the licence. Yes, by their very policy of restricting the number of houses, which gave a value to the licences; but they did not give that value in the sense of its being the permanent possession of the licence-holder. It was true that it was a valuable privilege, and they granted it for one year; they did not part with their permanent possession of it, any more than the landlord of a dwelling house when he let it to a tenant for a period parted with his permanent ownership of the property. They had created the value by restricting the number of licences, but by so doing they had not parted with their right of control; it was that point of control that they wanted to recover now, and they could only recover it by getting rid of that monopoly value which had grown up, and those who had it ought to be very thankful they had held it so long. In reference to the argument that the Inland Revenue for purposes of valuation took the market value, it had been pointed out again and again that the Department did not go into the method by which market value was arrived at. It did not justify it, it did not defend it.

SIR E. CARSON (Dublin University): The Inland Revenue lay down that they are to take into consideration in valuing that the licence will last in the case of a leasehold through the whole length of the lease or for ever in the case of a freehold.

SIR THOMAS WHITTAKER: Oh no; the last Memorandum issued in the time of the right hon. Gentleman's own Government laid down nothing of the kind. It was ascertained whether the property was leasehold or freehold, and then the market value of the licence was obtained. The Inland Revenue never justified a market value; they were never heard to say that it was too high or too low. If brewers and publicans in their reckless struggle for licences had inflated values

it was their responsibility, and theirs alone. Illustrations were numerous of other kinds of property which were inflated to an artificial value. If the holders died the death duty would have to be paid on that value, but that did not mean that the Inland Revenue justified or defended or guaranteed it. The mover of the Amendment said the licences had been bought and sold and the State had no right to touch them. What did the licence holders buy and sell? They bought and sold a licensed property with a *locus standi* for renewal, or an expectation of renewal and nothing more. There was nothing more to sell. A man could not sell what he did not own. He did not own the licence for any time after the year. If they had given absurd prices it was their own fault. It was said that the State parted with the monopoly value centuries ago, but it never parted with anything of the kind. It gave the licence for a twelve month and no longer. When did the State make the bargain? Where was the record of it? The mover of the Amendment claimed a freehold, and laid stress on this point, that the procedure with regard to renewals was different from that with regard to new licences. But it was purely procedure. The power of the justices was perfectly clear. The procedure was different in the ordinary tenancy of an ordinary house with regard to a new tenant, from what it was with regard to a tenant in possession who had to have so much notice. But that did not invalidate the landlord's right to give a tenant notice and get rid of him and take possession of the property. On this point of procedure, as between renewal and a new licence, Lord Justice Fry said—

“Nothing to my mind is more plain than that the exercise of the discretion is one and the same, with regard to the persons who keep and the persons who are about to keep, public houses. No distinction is drawn between the two classes, but their existence as separate classes, if you like, so to say, is recognised. The jurisdiction and the power are alike in both cases, and the discretion is alike in both cases.”

On this Lord Halsbury, in the House of Lords in 1891, said—

“Now the Acts of 1872 and 1874, which are Acts upon which reliance is placed, do not profess to limit the discretion, but enact certain new procedure, all of which procedure is per-

fectly consistent with the preservation intact of the discretion given to the justices.”

The discretion was absolutely the same, and therefore the point that there was a difference in procedure made no difference whatever as to the discretion of the justices. The hon. Member had referred to agricultural tenancies. If he would only turn to his (Sir Thomas Whittaker's) book which he had quoted he would see that he had referred there to the tenancy of ordinary houses and shops, and it was because he knew there was no right of compensating for disturbance there that he went to a special kind of tenancy where the Legislature had enacted that there should be compensation. Until the Act of 1904 there was no right of compensation for licences. If there had been, why should they have passed the Act of 1904? That Act had to be passed to meet a special case, and his analogy held perfectly good. The real issue was as stated by the hon. Member for York—how were they to recover their control?

\*MR. G. D. FABER: By paying for it.

SIR THOMAS WHITTAKER: By paying people for having bought what others had no right to sell—an annual licence the renewal of which had to be annually applied for, which involved the possibility of its non-renewal. The nation had a right to have its control restored. It could not be deprived of its rights and powers because some people had recklessly speculated in licences.

\*MR. BOTTOMLEY (Hackney, S.) said the Prime Minister had not done justice in this matter to his unique power of exposition and analysis. He had told them that this was an academical discussion as to whether a time-limit was defensible, and he addressed the question to the Opposition whether or not that was so. But the Prime Minister forgot to look at the subsection which they were discussing. The question before the Committee was whether subsection (1) should be omitted, and subsection (1) provided that at the end of fourteen years all the results of a time-limit should accrue. Therefore they were not discussing a time-limit in the abstract, but a time-limit of fourteen years, after which period every licence was to become

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the property of the State. He desired also to refer to the phrase which so often fell from the lips of the Prime Minister as to whether or not it was within the right of the State to resume the monopoly which the State had created, but it had been paid for up to the hilt, it had been charged an annual rent for, and had been taxed to the extent of some £40,000,000 a year in one way or another. They heard of passive resisters who were reluctant to pay rates and taxes in respect of Acts of Parliament of which they did not approve, but they had yet to hear of a conscientious teetotaler who sent a little conscience money to the Chancellor of the Exchequer because he declined to recognise for his own benefit this iniquitous condition of the law. He had listened very attentively to the speech of the right hon. Gentleman the Member for the Spen Valley, who was to a large extent the real author of the measure. Should he incorrectly summarise it if he said it was this, that there had never been any property in a licence, that there had been at the utmost an expectation of renewal and nothing more, that even before 1904 there was no reason why justices should not reduce licences to their fullest desire, that the 1904 Act was quite unnecessary, and that although it was passed for the purpose of removing what was conceived by many to be an injustice, and although the entire financial burden fell upon the trade, it was still a fraud upon the community in some way, an immoral Act which this new Parliament was entitled—setting, he thought, a very dangerous precedent—to repeal almost before the ink in which it was printed was dry, thus inviting every subsequent Parliament, which came with a large automatic majority, to wipe out any legislation which had been passed by its predecessors, simply to appease a noisy section of its own supporters? The right hon. Gentleman, taking that view of the law, said that in 1891, so fully was the risk of the trade recognised, that the Licence Insurance Corporation was formed, and he had read portions of the prospectus—he said advisedly portions of the prospectus. He saw that prospectus before the right hon. Gentleman because he saw it before it was printed. The genesis of that corporation was this, that

because everybody at that time thought *Sharpe v. Wakefield* had put a new aspect upon the position of the licensed victualler, whilst excitement was great in the trade in consequence of the House of Lords judgment, it was thought to be a reasonable thing that if there was no secure tenure in any kind of licence there should be formed an insurance corporation to protect licence-holders against the contingency of non-renewal of their licences. The right hon. Gentleman did not tell them that, so little did that view come to be generally accepted as the judgment came to be better understood, the corporation did practically no business.

SIR THOMAS WHITTAKER: I should like to put the hon. Member right. The corporation was formed before the decision of the House of Lords, and has done considerable business and is doing it now.

\*MR. BOTTOMLEY said the prospectus was written shortly before the decision—he was a little incorrect there—but when it was perfectly certain what the judgment of the House of Lords was likely to be. At any rate, it was after two other decisions in the First Instance Court and the Court of Appeal, and when *Sharpe v. Wakefield* was occupying very much the minds of the licensed community. As regarded doing business, he had heard of companies formed for one object doing business of a totally different character when it found that its original object did not appeal to the public. If the right hon. Gentleman told him seriously that the Licences Insurance Corporation was doing large business to-day in insuring licences *per se* he made a revelation which was absolute news to him. He wanted now to come to closer quarters with the right hon. Gentleman. He said that in 1891 there was no change in the law, that every man knew the law before and after 1891, and that a purblind public had invested its money in brewery enterprises and the trade had dishonestly shifted on to the shoulders of the public the security which they held. How long had that been the view of the right hon. Gentleman? If there was one man in the City of London more than another



who was instrumental in spreading the theory amongst investors that licences were a secure investment even after *Sharpe v. Wakefield*, it was the Member for Spen Valley. He had had the privilege of a personal acquaintance with the right hon. Gentleman for many years past, and their first difference was in connection with a Local Parliament where the right hon. Gentleman wrecked his Cabinet by the introduction of a licensing Bill. Consequently he had kept his eye on him ever since and to-night he hoped to get "evens" with him. In 1891 and a short time before, the right hon. Gentleman occupied a very distinguished and responsible position as editor of a daily financial paper, and in that capacity he gave advice to the investing public as to the best security for their money. He had recently spent some little time in the British Museum looking up the advice given by the right hon. Gentleman in that now defunct organ of public opinion. If he could show that in 1891 the right hon. Gentleman thought licences were a secure and attractive investment, he thought the right hon. Gentleman ought at least to tell them what had happened since that time to change his view, and perhaps he would be willing to withdraw his opprobrium upon the purblind public who had invested their money in breweries. On 2nd July, 1891, he found the Member for Spen Valley telling a reader who sought his advice—

"In Guinness's brewery you have a good investment."

SIR THOMAS WHITTAKER: My hon. friend is quoting a number of things with which I had nothing to do, with which I had no connection, and over which I had no control, and they are not my answers in any shape or form.

\*MR. BOTTOMLEY replied that if the right hon. Gentleman told him, as responsible editor of a great financial paper, he disclaimed responsibility for the financial advice given in that paper, if he exercised so little supervision over the staff, and paid so little attention to what his paper contained, then his authority on Acts of Parliament and upon the history of the licensing question would be seriously imperilled. He would put it

*Mr. Bottomley.*

in another way and say that in a financial paper, of which the right hon. Gentleman was the editor, one man was told that—

"In the Guinness brewery you have a good investment which we advise you to stick to."

In regard to Spier's & Ponds, the same organ said—

"There is not the slightest ground for any anxiety."

Without going through a lot of instances, it was stated, in regard to the Bodega, that—

"At the present price they are, in our opinion, extremely cheap."

And as for the Gordon Hotels, the advice was—

"These shares are worth looking after."

Then he came to a quotation which was amazing. There was an editorial article on a new issue, and the right hon. Gentleman could not disclaim responsibility for that, and he asked the Committee to listen to what the right hon. Gentleman thought in 1891—

"The shares of the Star Brewery Company, Cambridge, the brewery business of which has been established half-a-century, and now enjoys a high reputation in Cambridgeshire and the adjoining districts, are about to be offered to the public. We understand that the directorate consists of practical brewers, and that no less than three-quarters of the trade is tied."

They were the days when the right hon. Gentleman was carrying on the occupation of a sane, responsible, city man, with responsibility attaching to his advice, and when he was not wearing the mantle of the Party champion of temperance reform. He was in a position of greater freedom and less obligation to the Liberal Party. That showed that even after *Sharpe v. Wakefield* the Member for Spen Valley held the opinion that licences constituted a very sound security, and although he might disclaim responsibility for the minor items of advice which had been quoted, he could not for the editorial note just read. He had searched every page of the paper edited by the right hon. Gentleman, but had failed to find one word of warning to the investing public that they were putting their money into a highly speculative, immoral, dangerous and problematical security when they were buying brewery and licensed shares. He wanted merely to establish the fact, without going into personalities, that in 1891 the right hon. Member for Spen

Valley had assumed, like every other sane man at that time, that subject to good behaviour and reasonable requirements of the neighbourhood the dicta of the Law Lords in *Sharpe v. Wakefield* would prevail, and no bench of magistrates would, out of mere caprice, deprive a man of his livelihood. He would not speculate as to what had changed the views of the right hon. Gentleman. They had to consider whether, in any event, as the Prime Minister had put it, any time-limit was defensible. They had to consider whether in fourteen years time licences were to become the absolute property of the State, and whether every man who had invested his capital and labour in licences was to hand them over to the State in the name of monopoly. It assumed that the State was the best person to carry on the business of a licensed victualler. The operation of this Bill would make every Member of the House a potential licensed victualler. Personally, he had quite enough to do, and was not anxious to add to his obligations and responsibilities the functions of a licensed victualler, and he thought temperance reformers had plenty to do without assuming responsibilities of that kind. The vast army of respectable citizens who owned public-houses and were connected with them were overlooked, and nothing was now said about those who followed the advice of the financial press and invested their money in brewery companies. This was introducing a very dangerous element into the law. They would have another opportunity of reviewing the general principles of the Bill on the Third Reading, and all he asked the Committee now to say was that it was unreasonable, impolitic, and unjust, that at the end of fourteen years every licence now owned by private people should be handed back without any compensation to the State. That was the question at issue, and he was not going to say a word about the general argument, because they all knew the arguments for and against. They knew the question of administration, revenue, and everything else, and so far as the example of the Government went they knew that the Government, in the course of its business, sold a public-house a little while ago at its full market value, just

before introducing this Bill. The War Secretary had told the hon. Member for York that the purchaser was perfectly satisfied with his bargain. He had in his possession a letter from the purchaser in which he said he was perfectly satisfied with his bargain at present, because he was certain that this Licensing Bill would never pass into law, and in that hope he begged to resume his seat.

COLONEL WALKER (Lancashire, Widnes) said that after what had been stated it was desirable that he should give to the House a short history of the Licences Insurance Company. That company was floated by a Mr. Lawson, whose methods of flotation at that time were not known, but they are known now. The Licences Insurance Company was floated and promoted by this man Lawson. His methods were rather peculiar and very clever. He drew into the folds of his prospectus a great many names of brewery companies as founders in his company by leaving with some clerk in the office a founder's share as a present. He then printed the names of the brewery companies on his prospectus. Having got together his board he issued his prospectus and floated the company without any meeting of the board. Seeing that this company was about to be introduced and regarding it as a somewhat dangerous venture, he (Colonel Walker) sought the advice of his co-directors as to whether it would be feasible for someone who was cognisant of brewery business to be on the board of that company. He therefore with the consent of his board got on to the board of the Licences Insurance Company to see what was going to take place. When he got there after the flotation of the company he found it of a very peculiar nature. The methods apparently were that this man Lawson succeeded in floating companies one after another with the money collected and brought in by the previous companies, and the first thing that he desired to do with the monies coming into him so successfully—he (Colonel Walker) did not say it was because he was on the board that he succeeded in getting rather more capital in this company than any other company

—was to take that opportunity to float another company. He came to the board and desired them to invest the funds of the company in the new flotation which he was about to bring out. He (Colonel Walker) then saw the nature of the business and he practically took Mr. Lawson by the ears and led him downstairs. He never approached the board again. Having associated his (Colonel Walker's) name with that company he felt bound to see it through. He saw some people with good names and he informed them what he intended to do. He persuaded them to put more money into the company. He persuaded the members of the board to cut down the directors' fees and to invest the money which they held in Government securities. The next step was to engage a good and excellent manager. In the course of time while he remained on the board the business grew and developed into a thoroughly sound commercial venture—the only one ever floated by that man, however, that was alive at the present moment. Having put the company upon an excellent basis and seen it thoroughly established he resigned from the board and retired gracefully.

**SIR THOMAS WHITTAKER:** The hon. Member was not present when I made my speech. I made no attack upon the company. I simply quoted from the prospectus in order to show that at that time the risk was known. I made no comments and I know nothing of the flotation.

**\*COLONEL WALKER:** It was entirely a venture of the man Lawson. The company had nothing to do with "Sharpe and Wakefield," nor was it promoted by brewers.

**MR. MITCHELL-THOMSON** (Lanarkshire, N.W.) said that although the Prime Minister and the right hon. Member for Spen Valley regarded this proposal as the backbone of the Bill, there was not a word about temperance in the subsection from first to last. He mentioned that in order to show that the importance with which the subsection was regarded by hon. and right hon. Gentlemen opposite was not derived from the temperance point of view, but because

*Colonel Walker.*

it represented a purely fiscal transaction. It represented the setting-up of a state of things under which a different fiscal arrangement was to obtain from that which obtained at present. What was this fiscal arrangement? The arrangement was not as might be supposed from the Prime Minister's speech, something vague about a term of years called *x*, *y*, or *z*. It was that at the end of fourteen years licences, for which no compensation had been paid during the currency of that period, were to be taken away by the State, which he might remind the Committee was after all the largest profit-sharing partner in licences at the present moment. He thought the Prime Minister had hardly considered this scheme from the point of view of the unfortunate people on whom its operation was going to fall. He asked the Committee to look at the position of the licence-holder under the scheme of compensation on the one hand and of amortisation on the other, or what the right hon. Gentleman euphemistically called a scheme of double insurance. The right hon. Gentleman the Member for the Spen Valley had drawn an analogy between this scheme and the insurance of a ship. He would point out that if the owner of a ship insured it for fourteen years he would still at the end of the period have the vessel, but under this scheme the holder of the licence would not still have the licence. That was where the fallacy of the right hon. Gentleman's argument was to be found. The Prime Minister might call it double insurance if he pleased, but he could not be surprised if others called it by a more appropriate and shorter title. He thought the Government scheme inexpedient and unjust. On the point of expediency it was said, on the broadest public grounds: "Here is a

Supposing it had been an error to grant monopolies in the past, why were they to draw the line at one particular monopoly? If they were going to correct these errors by expropriation of individuals now, why stop at the liquor trade? That observation had already occurred to hon. Gentlemen below the gangway. He read the other day in an issue of *Justice*, a sentence which seemed to sum up the argument which he had addressed to the Committee. That journal said—

“If it is sound policy to confiscate the property of some brewers in fourteen years why not all the brewers, all the manufacturers, and all the railways at the same time.”

[Cheers from LABOUR MEMBERS.] Hon. Members below the gangway cheered that, but would the Government say that? Of course, they would not; at least, he hoped they would not. As to the justice of the proposal, he reminded the Committee that the highest judicial authority in the land, namely, the present Lord Chancellor, in the course of the licensing debates in 1904, stated that the Bill did give fixity of tenure equivalent to fixity of tenure in land. That was not the view held by the framers of the Bill, but it was the view held by many who spoke from the Opposition side of the House at the time. The right hon. Gentleman the Member for the Spenn Valley had stated that a licence was only granted for one year. If that was so, why in the third schedule of this Bill did they look forward to a period of fifty-nine years? He ventured to say that point was worthy of consideration. The Government said they did not want confiscation. Some of his hon. friends, speaking with an intimate knowledge of the facts, had pointed out that the proposals of the Government were neither just nor feasible from the actuarial and statistical point of view, and they had brought facts and figures to show the ludicrous inadequacy of the proposals. What was the answer they got? They only got two answers. One was that there was a compensation scheme, and if that was not sufficient then there was the fact that they had had a warning. He asked was the compensation sufficient? From first to last in the course of the debates there had never been

brought forward by the Government any statistical calculations whatever to give any support to that statement. They had been told from first to last that this time limit had been based upon no statistical calculation; that there was behind it no mathematical formulæ or inquiry. He thought that that was worth bearing in mind. He noticed that the Under-Secretary for the Home Department, with all his ingenuity in calculating every sum that he could possibly scrape together, could only succeed in making out that the total amount of capital reserve available to meet the loss—which the right hon. Member for the Spenn Valley put at £100,000,000—would be £51,000,000. He would not say anything about the morality of the suggestion that it was right to rob a man because a considerable proportion of his property was locked up in his estate. The Secretary of State for War had taken a different line in the country. He had stated at various public meetings that the Government did not want to do anything unfair and were quite ready to listen to any reasonable suggestion. He thought it was a little late in the day for the Secretary for War to say that; it would have been better if the right hon. Gentleman had made some answer as to the amount of money which the War Office got for a licensed house in Portsmouth. He was glad to hear that the right hon. Gentleman was now prepared to say that the Government did not want to destroy the existing licences; but the promise and the performance did not run hand in hand. What the supporters of the Bill wished was the destruction of all value in licences. He would give a quotation to prove that. The present Lord Lochee said in a speech in 1904 that if the Liberal Party had a particle of courage they could defeat the Licensing Bill then under discussion, if it became law. They could defeat it by determining that the duties on all licences should no longer remain at the comparatively small standard at which they now stood; but that they should arrange them so that the value of all the licences would be destroyed. [MINISTERIAL cries of “Hear, hear.”] He was glad to hear that some hon. Members on the other side of the House had the courage of their convictions, and were prepared to



admit that they wished to arrive at the total annihilation of the value of all licences. But the Secretary for War had no right to go up and down the country saying that the Government were not prepared to take away without compensation anybody's property, whatever shape that property might have. He came now to the last argument of the right hon. Member for the Spen Valley in regard to warning. That had even been suggested by the Prime Minister himself. That was a more curious doctrine than any other put forward by the right hon. Gentleman. According to it, killing was no murder if they gave a man warning before they killed him. He did not pretend to understand that argument. It was perilously near the argument of the buccaneer. But let them see about this warning. The case of *Sharpe v. Wakefield* had already been sufficiently dealt with by the hon. Member for Hackney from the legal point of view. Was it an accurate statement that these unfortunate licence-holders had been duly and properly warned? The only thing of that kind he could find was the Bill of 1895. But he could not read that as a warning. He was driven to the suspicion that when the right hon. Member for the Spen Valley and other speakers who agreed with him spoke of the licence-holders having had a warning, it was from the general attitude the Liberal Party had taken up in regard to this question. That confession was interesting, and he was not sure that it was not partly true. He was perfectly certain that if this section became part of the Bill it would be regarded by every prudent business man as a warning to set aside a sinking fund against the political vagaries of the Liberal Party.

\*MR. TOMKINSON (Cheshire, Crewe) said that the Committee had listened to various speeches from the Opposition side of the House in which hon. Members very forcibly, and in almost tragic tones, had set forth the sad fate in store for those interested in licensed property. He would ask the Committee to consider for a few minutes in a calm spirit what he thought would be the situation at the end of the proposed time-limit. First of all, they knew that compensation was

to cease, and that the magisterial discretion as to the refusal of licences was to be restored. By the statutory process of reduction, one-third of the present licences would have been swept away—undoubtedly the worst of the houses and the least profitable. The remaining two-thirds would have a very valuable monopoly. The population would be increased, and the fewer licences would become more valuable than they were before. Again, there would be no compensation levy upon them, and that would be a relief to the trade. The number of licences being so reduced within a proper limit, there would be little or no risk of a further reduction either by Imperial legislation, magisterial decision, or popular control—a risk so small as to be insured against on the easiest terms.

SIR F. BANBURY (City of London): When is that good time coming?

AN HON. MEMBER (on the MINISTERIAL Benches): It is here now.

\*MR. TOMKINSON said he was describing what would be the situation at the end of the time-limit. There would be the enhanced value of the licences which would accrue to the remaining licences. He understood that the practical form which the payment for the monopoly value of the licence would take, would be that an adequate sum would be paid for the privilege of holding a licence—a payment which hitherto had been wholly nominal. Some hon. Members insisted that that would be confiscation and robbery; but it was only a reasonable thing for the State to ask at the end of fourteen years. He did not know the cases to which the hon. Member for Stepney alluded when he spoke of publicans being turned out of their houses and deprived of their property by this clause. The only cases he knew of this kind were when tenants of tied houses were so treated by brewer landlords. He saw no reason why anyone interested in public-house property should be so frightened as they seemed to be. He asked what was the cause of all those fears about confiscation? They were either not real or largely exaggerated. He would give the Committee an instance

*Mr. Mitchell-Thomson.*



for which he could give chapter and verse so that anyone could ascertain the truth and accuracy of his statement. A month ago he was travelling to the town of Nuneaton on business and on his way a Birmingham newspaper was put into his hands containing the report of a sale at public auction of a licensed house in Nuneaton which was knocked down for £10,100. He went to the auctioneer who conducted the sale and asked him if the newspaper report was correct, and the auctioneer said that it was. He asked what were the circumstances and the history of the house, and the reply was that the house was a hotel of no very great value and on which no great amount of money had been spent. Some years ago it had been sold by auction for £4,000, and the purchaser sold it again for £3,600, or at a loss of £400. It had been put up to auction again the previous day and knocked down for £10,100. Then he asked the auctioneer what was the value of the house in itself, apart from the monopoly value, and the answer was £4,000, and that the man had given £10,100 for it with his eyes open, was in the trade, and knew that this Bill was going to pass.

MR. PIKE PEASE (Darlington) thought that the speech to which they had just listened showed that a very large number of Members of the House had not the slightest idea, after the statement of the Prime Minister, what monopoly value was. He had listened to the right hon. Gentleman's speech on that occasion and had read his speeches in the papers, and it appeared to him to be perfectly plain that at the end of fourteen years no man who held a licensed house was to have any interest in the value of the licence itself at all. That, of course, did away with all the arguments as to values put forward by the hon. Member opposite. It was understood some years ago that a time-limit meant that after a certain period the majority of people in a certain locality would have the opportunity of stating whether they would or would not have a public-house in that locality. This Bill was totally different in every respect from that. At the end of a certain period the value of the licence was to belong to the State. Suppose, for example, there were works

which employed a large number of men, and there was adjacent to those works one public-house which was worth £10,000 with a licence and about £1,500 without a licence—not an extraordinary case. At the end of ten years, if the licence was to depend on the majority of votes, that house would be worth £10,000, because there would not be the slightest possibility of the majority of the people in that locality wishing to take away the value of the licence. But in this case, at the end of fourteen years, the £8,500 was to belong to the State, and the man would be left with £1,500, the value of the house. He hoped the Government would say if he was not correct in his view of the matter. As to the value of the property which was selling at the present time, it was perfectly plain that the value depended on the opinion of the purchaser as to whether or not this Bill was going to pass into law.

MR. MARKHAM (Nottinghamshire, Mansfield) wished to say a word or two upon a point which did not seem to have been touched on, but which had reference to an injustice to licence-holders. He wished to do this, although he was a strong temperance advocate, because the point had arisen in his division, and not he thought in any other part of the country. In the parish in which he lived an application was made to the bench of magistrates for a licence for a public-house. They fixed the monopoly value of the licence based on the Act of 1904 at £9,000. There was an appeal to Quarter Sessions, and that Court reduced the sum to £8,000. Now the licence-holder to whom they granted that licence had paid into the county funds 8,000 sovereigns, and the Government had no right, therefore, he contended, under the provisions of Section 3, to treat that man as if he were in the same position as an ordinary licence-holder. He came in under the Act of 1904; on the faith of that Act, he paid £8,000 into the county fund, and it would be grossly unjust to ask that a man who had provided compensation for all the other licences in the village—because there were a number of others of very great value—with his £8,000 in the county fund beside the value of the

building—£6,000 or £8,000—to pay compensation to the other holders and lose the £8,000.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid): Was that licence granted for seven years?

MR. MARKHAM: There was no condition attached to it.

SIR S. EVANS said that under the Act of 1904 the justices could have granted an annual licence, or they could have granted one for seven years.

MR. MARKHAM said that with all respect to the Solicitor-General, he thought he was wrong in that definition of the law. He was present during the passing of the Act, and although the Solicitor-General and his predecessor on the other side held opposite views on every conceivable point, he did not know of that provision.

SIR S. EVANS read a subsection of the Act of 1904 to the effect that the justices might, if they thought fit, make the grant of a licence annual, or grant a licence for a term not exceeding seven years.

MR. MARKHAM said he was afraid he could not argue the point with the Solicitor-General without referring to the Act, but from what the hon. and learned Gentleman said, they seemed to have acted illegally. At all events they had had £8,000 from this licence-holder on the ground that, as they thought, they were granting him a perpetual licence. That might not be so, and if that was not the state of the law he did not wish to raise the point.

SIR F. BANBURY said the hon. Member for Crewe seemed to hold a different view as to the result of this Bill from that which was held by some other hon. Members who sat on that side of the House, because only a short time ago his hon. friend the Member for West Lanark quoted a speech made a few years ago by Lord Lochee, to the effect that the value of a licence ought to be destroyed altogether. That sentiment was received with cheers in more than

one quarter on the other side of the House, but the hon. Member for Crewe had conjured out of his mind a golden state of affairs which was going to exist under this Bill, by which houses worth £4,000 now were to be worth £10,000 or more at the end of fourteen years, and large sums of money were going to be made by the fortunate people who would survive till that moment. Take the statement that £10,000 was given for a house, as his hon. friend had just observed, the value naturally would depend upon whether or not the purchaser thought that this Bill was going to pass into law. As his hon. friend knew, he had had some connection with the City, and his opinion had been asked on several occasions as to what people ought to do who had invested their money in brewers' securities, preference or ordinary. He had stated that in the present depressed state of the market he should keep his stock, not that he thought this Bill was going to make it more valuable, but because he believed there was another place where confiscation would not prevail or be sanctioned. The hon. Member said that between now and the end of fourteen years a certain number of houses would disappear, and the owners of those houses would receive ample compensation, and that if they reduced the number of houses they increased the price of the remaining houses. That was a curious argument to come from a temperance reformer who thought this Bill was brought in to promote temperance. The hon. Member thought the same amount of liquor would be sold. ["No."] Well, the hon. Member's remarks were in the recollection of the House, and he distinctly understood him to say that as the result of certain holders of licences being done away with, additional business would come to the remainder, and, if so, that the remaining houses would be sold for something about the same figure. But his hon. friend forgot altogether that at the end of fourteen years these people would not remain; they were going to be done away with, and they would have disappeared altogether, so that those who remained would have to pay a monopoly value. It was curious what different defences were brought forward for this Bill by different Members, some

*Mr. Markham.*

Members honestly saying it was going to bring about temperance reform, while others said it was going to bring an abounding revenue to the State. That was what the Under-Secretary for the Home Department said, but what would his hon. friend, who was in the City some years ago, if there was going to be an abounding revenue and they were going to supply a sufficient sum to pay those from whom licences were taken away, give for a licence under those circumstances? If they were east of Temple Bar he was sure the offer he would make would be very small indeed. The Prime Minister had said that he (Sir F. Banbury) would consider any time-limit absurd, and that no time-limit was just. The right hon. Gentleman was quite right in attributing that to him, but, of course, when he said no time-limit would be sufficient he was referring to the conditions of the Bill. If the Prime Minister proposed to withdraw the Bill, however, and to say to licence-holders that he would give them fifty years without any conditions whatever, then he would not say that that sort of time-limit would not be possible. There were two points which the Committee had to consider on this particular subsection—one was whether or not the result of this clause would be just, and whether they were dealing with the property of other people in the same way as they would deal with their own property. He was quite sure that hon. Gentlemen opposite did not want to do for the property of others what they would not do for their own. The other was, were they going to establish or promote temperance by this particular form of legislation? The Prime Minister had stated that there was nothing but an expectation in a licence, that the licence was granted for a year, but that there had grown up in the minds of the public an expectation that under certain circumstances, that licence would be renewed. He had a statement in his hand by Sir Ralph Littler, a very prominent lawyer, which bore upon that point. Sir Ralph Littler said that any private individual who went to a Court of Equity and claimed to resume possession of a property after it had been in the possession of someone else for 150 years, no matter how fairly he had it originally,

would be told that he could not have possession. He said 150 years because some of these licences were granted before 1817, and many had been in existence for 100 or 150 years. If in the case of ordinary property, which had been in the possession of a man and that man's father and grandfather for 150 years, though the first holder had no right that could be maintained in a Court of Law, the man could not be dispossessed, then on what ground could the Government come forward and say that the State should resume this property because it had made a mistake and should never have parted with it? The thing was absurd. If he bought a house of his hon. friend for £150 which was only worth £50 and thus committed an error of judgment, and he asked his friend to give him back £100, on the ground that he had made a mistake, the hon. Gentleman would not give it. If the State had made a mistake how could they come down now and say: "We have made a mistake. We have allowed people to spend their money in a business which we have legitimised, and we are going to take it back? Because it must be remembered that the trade had been legitimised by the State in granting the licences. No one would suggest that the Government ought to profit by money obtained from an iniquitous business. It was, therefore, inconceivable that anybody should advance the argument that because there was a revenue now to be obtained from this legitimate trade which the State had sanctioned the State should now resume possession of it. It would be exactly the same as if he had made a present to the City of a piece of land as a public park. Would his descendants 100 years hence, when that land had been greatly increased in value, have a right to say that he did not know that the land would become so valuable when he parted with it, and consequently it must be restored to them? Yet that was what hon. Gentlemen opposite were trying to make the State do, and it was because the vast majority of the English people believed that no sane Parliament could possibly pass such a Bill that the value of these houses had not depreciated so much

as they would have done if it had been possible for a moment to believe that this Bill would be passed into law. During the debates in the summer some quotations were made by the right hon. Gentleman from speeches by the late Mr. Gladstone to prove that after the decision in *Sharpe v. Wakefield*, Mr. Gladstone had rather altered his views on this subject. The right hon. Gentleman had not, however, quoted the whole speech, because Mr. Gladstone went on to say, and this was far more important, that the expressions he used were not directed to the measure then before the House, but to a general and sweeping measure for the extinction of all public-houses. That would seem to show that Mr. Gladstone even after the decision in *Sharpe v. Wakefield* still held the same opinion. Under those circumstances the Committee was entitled to assume that had Mr. Gladstone been alive he would not have been a party to a measure of this description. What would be the effect of the reduction of licences if that reduction were accomplished in the way it would be if this clause was carried? Was it going to have any effect on temperance? He did not know whether hon. Members had seen the statistics of convictions for intemperance which had been taken out for the county of Middlesex. There it was shown that the proportion of population to licences had nothing whatever to do with intemperance. In one case there were 694 people to a licence, and the number of convictions for drunkenness 8.5. In another there were ninety-four people to a licence, and the number of convictions was 6.7, and the same thing went all the way through the statistics. That was a very striking commentary upon the argument that the reduction of licences was going to affect the question of temperance. He thought the question that was asked in the House recently by the hon. Member for Hackney with regard to the money which was received from the sale of drink showed the true method in which to bring about temperance reform. Example was the proper thing, and the education of the people to the fact that it would be better for themselves and their families if they spent less on drink than they did at the

present moment. Temperance reform would not be accomplished by robbing the brewers or the proprietors of licensed houses; and that was what would take place if Parliament passed this clause into law. It was hardly necessary to refer to the prospectus which had been read out by the right hon. Gentleman the Member for the Spen Valley. The answer made by the hon. Member for Hackney and another hon. Member who was not now in the House had been sufficient. But the right hon. Member for the Spen Valley in reading the prospectus had given a false impression to the House. He gave the impression that it was a company got up by the brewers for their own protection. On looking at that prospectus, however, he found that the shareholders in it were the ordinary public, and what had really happened was that a few sharp men of business, seeing that the decision in *Sharpe v. Wakefield* was not going to injure licensed property thought there was an opportunity of playing on the fears of the people, and of bringing out a company to insure licences at no risk but great profit to themselves.

\*MR. BOULTON (Huntingdonshire, Ramsey) said one very important point had been made in the course of the debate, and that was the clear statement of the Leader of the Opposition that licences were something less than freehold. It had been argued a great many times previously by the brewers that licences were freehold.

MR. YOUNGER: No, no.

\*MR. BOULTON: I beg the hon. Gentleman's pardon. From this afternoon we have this clear—

MR. YOUNGER: Can the hon. Gentleman give an authority for his statement?

\*MR. BOULTON: It has been said on hundreds of platforms.

MR. YOUNGER: Nothing of the kind.

\*MR. BOULTON said the hon. Gentleman had only to go out into the streets and he would see in almost



every public-house in London staring placards stating that if this Bill passed, no property was safe. The only inference that could be drawn from that was that licences were private property. They now had it, at any rate from the Leader of the Opposition, that these licences were something less than freehold, but they had also evidence at least from certain of the speeches of hon. Gentlemen opposite, that some of them did not follow their Leader. The mover of the Amendment had stated that these licensed properties had been treated by the Inland Revenue as freeholds, and had quoted, in the course of his argument, the Inland Revenue instructions of 1890. He had those instructions in his hand and he would just read two lines upon which the argument was based. Referring to the assessment of public-houses for the purposes of levying the death duties, they stated that in each case it was assumed that the licence would continue to be renewed. That was the statement which was made in order to support the argument that the Inland Revenue had been in the habit of treating licences as freehold, and that they should continue to be so treated by the State. In the year when that document was issued, the opinion of the Solicitor-General of the Conservative Government, Sir Edward Clarke, was to the effect that licences must be renewed, subject only to misconduct; that the holders had a legal right, when they came to the magistrates for a renewal of their licences, to have that application granted. That was the opinion of Sir Edward Clarke in 1890, when that precious document was issued which gave instructions to the Inland Revenue to value these licences on the basis of continued renewal. Then came the case of *Sharpe v. Wakefield* in 1891, the year after Sir Edward Clarke gave his opinion. In that case the House of Lords decided that the justices had an absolute judicial discretion to refuse the renewal of any licence. When that decision was given, Sir Edward Clarke admitted that he had made a mistake in his interpretation of the law, which had been decided by the highest Court of Appeal in the country. Then something else happened. The Death Duties Act of

1894 was passed, and that Act stated how an assessment of property for the purpose of valuation should be made. In 1904 they had other instructions issued by the Inland Revenue authorities stating what had been, not what was to be, the practice for the last ten or twelve years. These instructions stated that there was no special basis provided by statute for valuing licensed houses for the purpose of estate duty, and that accordingly they came under the general rule applicable to all property. Then it went on to say that the principal value of any property should be estimated at the price which in the opinion of the Commissioners such property would fetch if sold in the open market. In face of that, was it not dishonest to circularise broadcast the instructions of 1890?

MR. YOUNGER: I know that in practice the valuations resulting from the second paper are exactly the same as from the first.

\*MR. BOULTON asked if the hon. Gentleman would give his authority for saying that. The hon. Member could not produce any authority. He was going to show that he was wrong by producing the authority of the present Chancellor of the Exchequer, as quoted by Treasury officials. After the 1890 instructions were issued the whole position surely was changed by the decision in *Sharpe v. Wakefield*. That decision altered what was considered to have been the law. What did Mr. Candy, the leading counsel for the trade in that great case, say? Not only Mr. Candy but other permanent trade officials admitted that *Sharpe v. Wakefield* had seriously interfered with the value of licensed houses. Surely the market was affected by that, and surely after *Sharpe v. Wakefield* the market value would be something less than that of freehold. Yet the hon. Member for the Ayr Burghs came and said that *Sharpe v. Wakefield* made no difference in the value of licensed property.

MR. YOUNGER: I did not. It has increased since then very much.

\*MR. BOULTON said that if it had increased since then it was perhaps



because of the increase in the population. He, however, thought the hon. Member was wrong. So far as his knowledge of the trade went, the value of licensed property had fallen very much. Some licensed houses in his own constituency were not worth nearly what they were twenty or thirty years ago, and that he believed was the case generally throughout the country. By *Sharpe v. Wakefield* licensees were declared not to be freeholders. The opinion given by Sir Edward Clarke in 1890 when the instructions were issued was not good law, and for the brewers to issue the 1890 instructions, after that decision, and after the passing of the Death Duties Act, was nothing less than a bare-faced and impudent fraud upon the public. He wanted an authoritative expression or statement from the Chancellor of the Exchequer that the practice of levying the tax for the purposes of the death duties was based on the 1904 instructions and not upon those of 1890, and last July he wrote a letter to that right hon. Gentleman asking if he were right in assuming that the 1890 instructions were not acted upon. He got the following reply—

“I am desired by the Chancellor of the Exchequer to inform you that the Paper of 1890 was issued before *Sharpe v. Wakefield* was decided by the House of Lords and before the passing of the Finance Act. The Paper of 3rd May, 1904, states the practice followed under the Finance Act.”

The Chancellor of the Exchequer quoted the practice, and then went on to say—

“You are correct in your impression that the Somerset House authorities did not act on the 1890 instructions much later than 1891 or 1892, and that the instructions in 1904 were those which had been acted upon for ten years or more.”

That emphatic declaration, coming from the head of the Treasury, was the highest authority that the 1890 instructions should be disregarded and that the 1904 instructions were the only instructions they should look to. It was nothing less than dishonest to buy copies of those 1890 instructions wholesale and distribute them throughout the country as the trade had been doing. An hon. Member had quoted a statement from a pamphlet issued by Sir Ralph Littler attacking the Bill, in which Sir Ralph had stated that if a private individual who had allowed

somebody else to use his property for 150 years went to a Court of Equity and asked to be restored to his property he would be laughed at. That was not the case with regard to licences at all. The licence-holders might have had them for 150 years, but they had paid rent to the State and had also applied annually for renewal, a very different thing. If an owner had allowed somebody to use his property for 150 years and had received rent each year in acknowledgment of his rights of ownership, and if he went to a Court of Equity there could be no question that that Court would hand him back the property which belonged to him. That disposed entirely of the suggestion of Sir Ralph Littler. He considered he had established what they had heard declared from the Leader of the Opposition, that licences were something considerably less than freehold.

\*MR. NIELD (Middlesex, Ealing) said he had not been able to follow the arguments of the hon. Member. He had sat for many years as a close colleague of Sir Ralph Littler, and there was no man living who had had his experience in the administration of the licensing laws, and who, at the head of the Bar of England, had a greater knowledge of that law. They had listened to a bit of special pleading on the part of the hon. Member, but there were a great many gaps in the information he had vouchsafed to the House. When the hon. Member talked about a statement distributed throughout the country, he supposed he meant a statement issued by the trade and exhibited on licensed premises. The hon. Members said it was a barefaced impudent fraud. He could not help expressing astonishment that such a statement should come from an hon. Member on the other side of the House, considering that the Government's majority was obtained by methods such as the Chinese slavery falsehoods and other fraudulent misrepresentations, equally barefaced and impudent. This was the first time Parliament had attempted to do anything in the direction of confiscation of property, and he hoped it would meet with treatment elsewhere that would prevent this House turning along the same road again. It was not a mere question of paying an annual sum of money for an annual permission which might be withdrawn at the end

*Mr. Boulton.*

of the year. Had hon. Members opposite ever heard of the basis upon which public-houses were assessed? Did they not know that skilled valuers were employed for the purpose of getting at the assessment? Valuers not only went into the broad question of what was to be the mean basis of compensation, or what the premises would let for if used for purposes other than that of a public-house, but they actually went so far as to ascertain the number of barrels of beer consumed during the year, and they based their valuation upon the business done by the publican irrespective of the actual value of the premises. Surely that was putting upon the licensed victualler an additional and very substantial income-tax, which involved not only a very high assessment, but an oppressive payment—because in addition to the ordinary income-tax under Schedule D, and also the payment of his licence duty, the holder had to pay heavily to the poor law and local authorities. In districts where the rates were high—and in some localities they were 10s. in the £—the rates amounted to a very considerable sum. In his own constituency there was a licensed house which had a hall attached, in which not long ago he addressed a meeting upon the Licensing Bill, and he asked if there was any man in the audience who could tell him what the premises were rated at. The assistant overseer, who happened to be present, replied: “£345 a year.” He then asked what was the value of the premises for rating purposes, assuming they were used for any other purpose, and the reply he got was “£120 a year.” That licence-holder had been paying rates on the difference between £345 and £120 for years. There was also the water rate charged upon the highly assessed rateable value, and these constituted an enormous charge placed upon the trade. Did any hon. Member dispute that those heavy charges which were made annually upon licensed premises were made because the licence was regarded as a permanent factor in the case? The Memorandum of 1890 was not an instruction, as the hon.

land Revenue to the Chancellor of the Exchequer of the basis upon which they had levied the death duties in the past. The way licensed property had been treated by the Board of Inland Revenue clearly showed that they had always regarded premises as being permanently enhanced by the licence.

MR. BOULTON: It was based on bad law.

\*MR. NIELD asked if his hon. friend had forgotten that Sections 30 and 31 of the Act of 1872 enacted that the holder of a licence should be entitled to a renewal of his licence unless some objection was taken to it? Had he forgotten that in 1873 the Act was so amended that any person desiring to oppose an existing licence was obliged to give notice in writing to the licensee that he intended to appear at the Licensing Sessions to oppose the renewal, and moreover to give in writing the grounds of his objection? Those provisions were inserted in the Licensing Act which regulated renewals of licences in 1872 and 1873, and the Act clearly stated that a licensee need not apply for his licence unless it was opposed, and then he had to receive proper notice. This was a deliberate indication that Parliament considered that licences should in practice be annually renewed in the absence of any misconduct on the part of the holder. He challenged the hon. Member who had last spoken or any Member of the Government of which he was a supporter to prove that the Inland Revenue to-day, in levying death duties upon persons interested in licensed premises, had abated one jot of the principle on which they went when the Memorandum of 1890 was issued. The hon. Member had quoted from a paper which he said was the instruction of 1890, but which he (the speaker) claimed was in fact nothing of the sort, but a statement of the basis of the then existing levy for death duties on licensed premises. The hon. Member had not mentioned that in the document the Commissioners of Inland Revenue had specifically said in at least two instances

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freehold. But so much had been made of that admission that one was led to imagine that in the opinion of some hon. Gentlemen on the other side of the House there was practically no property if it was not a freehold, and that they might take liberties with the property of anybody, so long as it was not freehold. That was a very striking doctrine. Then a great point had been made of the Memorandum of the Inland Revenue Commissioners in 1890, as if they based on that Memorandum the whole of their contention with reference to property in annual licences. That was only an incident in the case, and although it might be that that Memorandum had not been in effect since 1891 or 1892, it must be perfectly obvious that many thousands of pounds had been paid to the State in respect of that Memorandum during the period it was in force, and with respect to property which, since that time, had been handed down from one to another, property which really was affected by every line of the measure under consideration. Whatever changes had been made in the methods of the Inland Revenue with reference to the taxation of licensed property for death duty, those changes had not been of a very wide-reaching character. Indeed, it was significant to observe that hon. Gentlemen opposite exhibited very little anxiety to answer the challenge thrown out to them as to whether they would be willing to agree to compensation on the basis of the present methods of the Inland Revenue. He had said it was not only on the question of the methods of the Inland Revenue Commissioners that the contention was put forward as to the property value in these licences. In practice, the expectation of the renewal of these annual licences had amounted to a certainty, except, of course, in cases of misconduct. The custom of such renewals had endured for 400 years, and a custom of such antiquity and such a universal custom might reasonably be regarded by many as tantamount to law. It was because that custom had been so regarded that prudent men of business had not hesitated to invest their capital, and the capital of others for whom they had been trustees, in public-houses and other licensed property. An annual

licence, which the Prime Minister had described as a precarious privilege, was not an unusual institution in this country. It was not only in the liquor trade that they found the annual licence. The instance had been given of the licence granted to theatres. What man would build a theatre and go to the expense of providing the public with a great institution like that if he did not anticipate that the licence would be renewed in the following year? There were Members of this House who had invested their money in motor cars, for which they got an annual licence. What man would buy a motor car if he had any doubt as to the renewal of the licence next year? There were many Members of the House who ought to be present now, but were away with guns for which they had only an annual licence. In fact, all these sorts of licences had been precarious privileges of one year's duration, but it had been the general understanding that they would be renewed at the expiration of each year. It was not only by the practice of the Inland Revenue Commissioners that a belief in the continuity of the licence had been created. The Courts had recognised the continuity of these annual licences. Time and again tenants for life had been restrained from suppressing licences to the injury, not only of their immediate successors, but even of remote remainder men. The magistrates had recognised the continuity of these licences, and had required publicans to make costly alterations and improvements in the interest of the public whom they served—alterations and improvements which would have been ruinous to the licence holder if he had held his licence for only one year. Local authorities throughout the land had for years recognised the principle of the continuity of these licences in their assessments on public-house property, and in fixing compensation when such property had been taken over for public improvements. It was in his own recollection that the London County Council was particularly generous in that respect, for it paid full compensation on public-house property which it had cleared in the course of public improvements, even when in its zeal for temperance, having paid the price of the licensed property, it promptly allowed the licences to lapse. Trustees had also

*Mr. H. H. Marks.*

it were conveying a freehold, and the amount at which the duty was assessed was not the mere value of the bricks and mortar, but the value of the house as permanently increased by the value of the licence. They paid an *ad valorem* duty of 10s. per cent. every time they changed hands. The Prime Minister speaking recently at Leeds had stated that the Bill was going to be a remedy for unemployment. It appeared from information furnished to him by one gentleman alone, who was engaged as an architect almost wholly in respect of licensed premises, that to his knowledge the Bill had already caused the abandonment or postponement of works upon which £28,000 would have been spent, quite apart from the fearful loss of wages which would have been paid by builders and contractors. His informant wrote—

"We, as constructional engineers, have, of course, suffered severely. Out of the £28,000, our work would really total at about £4,000. Of this amount wages would be by far the larger proportion."

He might safely say that of the £28,000 one-half would have been spent in wages. The indirect loss of wages was still larger since it would have been multiplied in the case of the firms who supplied steel girders, rivets and bolts, besides brick-makers, quarrymen and carriers. From the same source he learnt that a builder, generally engaged on licensed premises, who had from 500 to 700 hands, had owing to the Licensing Bill shut down his yard entirely, and could do no more work. He could multiply this very materially. He had a statement of the wages paid by electricians doing work wholly for licensed premises.

AN HON. MEMBER: Is not this altogether outside the question under discussion?

THE DEPUTY-CHAIRMAN (Mr. CALDWELL, Lanarkshire, Mid.): I do not understand that the hon. Gentleman is going much further.

\*MR. NIELD said he could very well understand that this was most unpalatable to hon. Members when they saw the unemployed in the streets. When the House was besieged by the un-

employed, surely it was most germane to give the House this information as he was about to do when interrupted. One firm of electrical engineers, whose wages were during the preceding year £1,600, paid only £979 last year—a loss of £621 in one small branch. Another firm reported a loss of £9,000 worth of work, of which half would represent wages. A decorator's bill had shrunk from £669 to £268 in a corresponding period of seven months. The figures he had given had been from one source out of twenty similar ones, and he was assured it was quite reasonable to regard this as a fair average of those twenty. The Bill was a disastrous one for the workers. It would increase unemployment. While the State had a right to regulate, it had no right to confiscate, and this clause ought to be eliminated.

\*MR. H. H. MARKS (Kent, Thanet) said that whatever diversity of views might have been urged in support of the measure, the Committee had been left in no doubt as to the test which it should apply in considering the Amendment now before them. The Prime Minister had told them that in judging of the merits of the Amendment they should consider whether the policy embodied in the clause was sound, politic and just. Nobody who had listened to the debate could have any doubt for a moment that that policy was not financially sound, nor commercially just. Whether it was politic must depend upon the point of view. It might be politic from the point of view of the Party and its exigencies, but he had very serious doubt as to whether it was politic from the point of view of the nation or of its interests. The policy which the clause embodied was that with which they were all familiar, the policy of denying to the licensed trade that it had any claim to compensation when licences were suppressed, upon the ground that there had never been any legal right to the renewal of an annual licence, or any claim to fixity of tenure, but only an expectation. It was surprising to find the delight with which the admission from those benches that an annual licence was not a freehold was received. He did not imagine anybody ever supposed an annual licence was a



freehold. But so much had been made of that admission that one was led to imagine that in the opinion of some hon. Gentlemen on the other side of the House there was practically no property if it was not a freehold, and that they might take liberties with the property of anybody, so long as it was not freehold. That was a very striking doctrine. Then a great point had been made of the Memorandum of the Inland Revenue Commissioners in 1890, as if they based on that Memorandum the whole of their contention with reference to property in annual licences. That was only an incident in the case, and although it might be that that Memorandum had not been in effect since 1891 or 1892, it must be perfectly obvious that many thousands of pounds had been paid to the State in respect of that Memorandum during the period it was in force, and with respect to property which, since that time, had been handed down from one to another, property which really was affected by every line of the measure under consideration. Whatever changes had been made in the methods of the Inland Revenue with reference to the taxation of licensed property for death duty, those changes had not been of a very wide-reaching character. Indeed, it was significant to observe that hon. Gentlemen opposite exhibited very little anxiety to answer the challenge thrown out to them as to whether they would be willing to agree to compensation on the basis of the present methods of the Inland Revenue. He had said it was not only on the question of the methods of the Inland Revenue Commissioners that the contention was put forward as to the property value in these licences. In practice, the expectation of the renewal of these annual licences had amounted to a certainty, except, of course, in cases of misconduct. The custom of such renewals had endured for 400 years, and a custom of such antiquity and such a universal custom might reasonably be regarded by many as tantamount to law. It was because that custom had been so regarded that prudent men of business had not hesitated to invest their capital, and the capital of others for whom they had been trustees, in public-houses and other licensed property. An annual

licence, which the Prime Minister had described as a precarious privilege, was not an unusual institution in this country. It was not only in the liquor trade that they found the annual licence. The instance had been given of the licence granted to theatres. What man would build a theatre and go to the expense of providing the public with a great institution like that if he did not anticipate that the licence would be renewed in the following year? There were Members of this House who had invested their money in motor cars, for which they got an annual licence. What man would buy a motor car if he had any doubt as to the renewal of the licence next year? There were many Members of the House who ought to be present now, but were away with guns for which they had only an annual licence. In fact, all these sorts of licences had been precarious privileges of one year's duration, but it had been the general understanding that they would be renewed at the expiration of each year. It was not only by the practice of the Inland Revenue Commissioners that a belief in the continuity of the licence had been created. The Courts had recognised the continuity of these annual licences. Time and again tenants for life had been restrained from suppressing licences to the injury, not only of their immediate successors, but even of remote remainder men. The magistrates had recognised the continuity of these licences, and had required publicans to make costly alterations and improvements in the interest of the public whom they served—alterations and improvements which would have been ruinous to the licence holder if he had held his licence for only one year. Local authorities throughout the land had for years recognised the principle of the continuity of these licences in their assessments on public-house property, and in fixing compensation when such property had been taken over for public improvements. It was in his own recollection that the London County Council was particularly generous in that respect, for it paid full compensation on public-house property which it had cleared in the course of public improvements, even when in its zeal for temperance, having paid the price of the licensed property, it promptly allowed the licences to lapse. Trustees had also



recognised the continuity of licences by investing large sums in public-house property on the strength of the practical and moral certainty of renewals. What was the justification for the contention that there was no claim for compensation now? It was admitted that there was a claim for compensation in regard to licences which were forfeited within the time-limit period. They had got thus far in regard to the right of compensation. It was only those which survived the time-limit which were to have no compensation at all, and yet it was those which survived that period which would have the best claim. They would of necessity be the best class of houses, for the least desirable would certainly go first. The houses which survived, those which were fittest, would have paid the compensation even for the least desirable houses which had been exterminated. He would remind the Committee that it was not only private rights but equally public policy which was here involved. If a man who was paying during a period of years to a compensation fund for his neighbours, with the certainty that if he survived he would in his time get no compensation at all, what could they expect that man to do in the upkeep of his house? What could they expect that man to do in the way of liberal and effective expenditure upon necessary improvements and alterations? That man, knowing that his trade was doomed and that his days were numbered, would neglect so far as he possibly could every expenditure of money and confine all his energies to push sales to make his money while the little sun left to him still shone. It was really worth while for their temperance friends to consider what would be the state of public-houses at the end of the allotted period. When the new era began these unfortunate licence-holders, after their long and costly experience, would have to pay again the monopoly value which their own capital and labour had created. This would really be taxing the tenants on their own improvements and the taxation would be large in proportion to the expenditure which they had made. The time-limit meant the rejection at the end of the allotted period of all claim to a renewal of licences and all claim to compensation. He did not think that in the course of the

debate anyone had pointed out exactly the financial meaning of that, not to the licence-holders but to the innocent investors who had their money in brewery companies. He asked the Committee to consider what a brewery company could do to provide against loss on the part of its shareholders and debenture-holders at the end of the time-limit. He would illustrate this by one case which he had taken from the excellent work by Mr. Pratt, who was a great authority on this point. Mr. Pratt gave the case of a long-established brewery company which traded in beer only, eight-tenths of its output going to tied houses purchased by the company. The average net profit available for dividends on the ordinary shares was £12,600. If the whole of this profit were put annually to a Sinking Fund for twenty-one years at 3 per cent. it would produce £360,000. The sums to be provided for out of such fund would be as follows:—Mortgage debentures, mortgages, etc., £354,000; preference shares, £174,000; ordinary shares (present value), £200,000; pension fund (for 200 employees), £10,000; making a total of £738,000. But inasmuch as the Sinking Fund would produce only £360,000, there would be a deficit of £378,000 in meeting all these items. The shareholders would have gone without dividends for twenty-one years, and all provision for old-age pensions and retiring allowances would be absolutely swallowed up. That was one of hundreds of cases of a similar kind which might be cited. On the authority of Mr. Buxton, Chairman of Truman, Buxton & Company, he stated that securities based on licence values, amounting to £150,000,000, would be rendered practically valueless if the Amendment now before the Committee were rejected. That was the case with regard to the holders of freehold properties; but the case was as bad, perhaps worse, with regard to leasehold properties. There were many cases in this country where the owners of licensed premises had purchased the lease of fifty years, and spent all their capital and all the money they could raise on their credit in building up a great business. He was not speaking now of public-houses or gin palaces, as they had been described. He was speaking of respectable hotels which came under the operation of this

Hon. Gentlemen opposite did not allow for the historical change which had taken place in the character of the licence. When it was first issued, it was issued on free lines; but afterwards considerations of social order led to the imposition of restriction after restriction which had transformed the character of the licence. Parliament, while by its own action enhancing the value of a licence, had never adjusted its scale of taxation to the change in the character of the licence. Hon. Members opposite were now saying that, because Parliament had been remiss in the past, therefore its past remissness should be transformed into a permanent disability. Because for long years they had been charging the licensed trader considerably less than he should have been charged, because of their past extravagant generosity, they were to be penalised from obtaining at any time the payment long overdue. He believed that a good deal of the objections to these proceedings, and to this particular section, arose from the idea—a perfectly mistaken idea—that the trader at the expiration of the time-limit would be required to pay a large sum which represented his goodwill. That was not the idea which he had in his mind. What they desired to bring about was this: a condition of freedom under which the State should be allowed to adjust its scheme of licensing taxation so as to include a proper scheme of monopoly value. [An Hon. Member: We do it now.] An hon. Member said they did it now, and he would deal with that point. It was perfectly true that the Bill as now drafted, made a payment for monopoly value, an annual payment for an annual licence or a term licence, but he believed that to be so objectionable a form of monopoly value that he had placed on the Paper an Amendment to deal with it. He objected to the precedent of the Act of 1904. Under that Act we had been receiving large sums in the way of monopoly value for all licences issued under it. And the hon. Gentleman would say that under Clause 4 of that statute no question of compensation could ultimately arise in connection with one of those houses. He doubted that statement at the time; he doubted it to-day. When he looked at payments

which had been made for new licences from 1904; when he saw traders having to pay £5,000 down for a new licence, he said that that would cause the expectation of renewal which would constitute a practical embarrassment a few years hence, and he wanted to guard against the recurrence of the compensation difficulty. There was one criticism he would like to make in connection with the present proposal. Whilst he understood quite clearly the end towards which it proceeded, he doubted very much whether the present time-limit proposal would secure the end aimed at unless subsequently there was associated with it some new condition covering the tenure of licences, which would prevent the compensation difficulty or the expectation of renewal. For his own part, he did not think that anything except the institution of some form of public tender, such as proposed by Mr. Bruce, would guarantee the community against the recurrence at some future time of this compensation difficulty. But before he sat down there was one aspect of this question which had not been touched on, but to which he thought it was very desirable to allude. They heard a great deal concerning the injustice of this time-limit proposal. The injustice of it had always been construed to be in the treatment of the licensed trader, but he would like to ask hon. Members opposite whether there was not involved in this time-limit proposal a very distinct and definite injustice to the community at large. What was the price which the community was called upon to pay for this time-limit concession to "the trade"? He did not know whether it had been quite realised by hon. Members on the opposite side the financial price which the country had to pay for this concession of the time-limit. It was obvious that during the whole currency of the time-limit, i.e., for the whole period of fourteen years, there could be no adjustment of licence taxation to the real value of the licence. That was to say, that for the whole period of the time-limit the community must forego any increased taxation on licences. When he remembered the amount which was due from the licensed trade, he realised the amount which the community had to pay for this time-limit. Contrasting this taxation

with the taxation of the same trade in other countries, which represented conditions which in all essentials were identical with the conditions encountered here, he began to understand the real price that the country would have to pay for this generous concession to the licensed trade. He did not want to weary the Committee with figures, but he would give them one or two. Take the whole of the towns in the United Kingdom, with a population exceeding 30,000 persons—the average payment by the publican for a licence was £27 a year. Take towns in the United States of America of the same size, and the average payment made by the publican was £147 a year. Let him give another case. London to-day received from its liquor licences £275,000 a year, but if London received for them in proportion to population, the sum received from the publicans of New York she would receive just over £3,000,000 annually. The difference between the yield of the duties on our existing scale of taxation and the yield of the duties on the New York scale of taxation amounted to 1s. 3d. in the £, or nearly half of the revenue which the London County Council received last year by rates. He dared say he would be reminded by hon. Members opposite that while licence taxation in the United States was higher than it was here, the taxation of beer and spirits was lower; but when they made allowances to the full, he could prove, he believed, conclusively to the Committee that the liquor trade in this country was under-taxed to the extent of from £7,000,000 to £14,000,000 annually, and this sum must be lost to the community throughout the whole period of the time-limit. So that if they calculated the injustice to the community in pounds, shillings and pence, it did not rest with the licence-holder, but with the taxpayer of the country. That was one aspect of the question, but there was a more serious element in the price paid for the time-limit than that, and that was that it was inevitable that the efforts of the community must be fettered except in one direction, certainly as regarded all great and comprehensive measures of licensing reform. The community must wait, no matter how great might be its desire for freedom, until after the expiration of the time-limit.

The community being called upon to suffer this loss on the one hand, and being deprived of the power to exercise its resourceful energy for fourteen years, when hon. Members used the word "injustice" he said it should be used not on behalf of the licensing trade, but on behalf of the eager, over-ridden citizens and taxpayers.

\*MR. JESSE COLLINGS (Birmingham, Bordesley) said there was no man in the House more entitled to be heard on this subject than the hon. Member who had just sat down. He had followed his speech, however, with a great deal of attention, and he was bound to say that he hardly knew his exact position. He was evidently dissatisfied with the provisions of the Bill, and when he talked about the community paying compensation he thought his argument was rather far-fetched, because, however the community might pay, it was the individual who suffered. The hon. Member had also said something about some Amendment which he had put down to carry out his ideas, but they had not to consider what with his Amendment the Bill would be, but what the Bill did without his Amendment, because they knew that no Amendments that he would move would be of any use, because the Government were not likely to accept them. The hon. Member had said very rightly that compensation of some kind was the key of the difficulty. There was very little doubt about that. The hon. Member also said that statesmen should try to get some solution of that difficulty because it was the real problem; grant compensation, fair compensation, and everything else become plain and bereft of difficulty. But statesmen had not been consulted outside the Government, as they might have been, seeing that it was a question of national importance. It seemed to him that the United Kingdom Alliance had alone been consulted, and that the extreme teetotal party were the authors of this Bill. The hon. Member was also right when he said that the question of compensation was quite as urgent and prominent before the Act of 1904 as it had been since. The hon. Member seemed to lean in one part of his speech towards State compensation, and if hon. Members would accept that then they

would show that their first object was temperance. But that was not their first object, which was to punish those connected with the liquor trade. After that they were willing to promote temperance. Why did they not take the example of such men as Wilberforce and his colleagues, who in regard to the slave trade put their cause first, and did not hesitate about compensation? They said that if they could not get rid of it without compensation, let there be compensation. They held that very lightly; but the position of the Temperance Party seemed to be that they loved temperance, but objected to pay for it. It had been said that there should be compensation by way of a time-limit or some equivalent compensation. But equivalent compensation was paying a fair price for the trade that had been allowed to grow up. If the State had made a mistake by the creation of this monopoly let the State pay for its mistake. That was the alternative. To himself the debate that night had been rather a sad one. He was an old Member of the House, and was very jealous of the morality of their legislation, and the nature of the legislation now before the Committee was calculated to make one sad. One thing he was pretty sure of—the debate that night had killed the Bill. He had no doubt it would pass that House, but it had killed the Bill in the eyes of the country, and it had laid an obligation upon another place to throw out the Bill—laid it upon them by the consideration of the rights of property and of public morality. A great deal had been said of the estimate of the monopoly value, but it did not matter what the value of the monopoly was, the moral question remained the same, and for that reason he was glad that none of his friends had attempted to extend or interfere with the time-limit. It did not matter whether the time-limit was fourteen or forty years—the immorality and the dishonesty remained the same. No exceptions were to be made in cases of those who had bought for value. He would take one instance which was typical of others, the purchaser of “The Coach and Horses.” What were they to say of a Government who sold licensed premises for £8,000 or £9,000, monopoly

value as it was termed, knowing that they had at the same moment a Bill ready that would make them practically valueless? [Laughter.] Was it a laughing matter? He hoped the standard of morality had not fallen so low that they would laud in the Government an act which in a private individual would be scouted by all right-thinking people. And what about the pre-1869 licences? Where was the common honesty of including them in the general plunder? The monopolies possessed by railways, electric, gas, and water undertakings were the creation of Parliament just as were licences, and if the shareholders in them were treated as they proposed to treat the brewery shareholder, the monstrous injustice would become apparent. Nobody was safe. He saw in the Bill the beginning of a Socialistic movement which might be extended to any form of property. In fact, it was more Socialistic than the ideal of the Socialists with regard to the land as expressed by one of their most eminent leaders. They would take landed property it was true, but they would give the landlord a term of three lives, which generally extended over a long period. The Government only gave a term of years. The Prime Minister and many of his supporters had constantly referred to this as a brewers' Bill. But it was only a brewers' question in a minor degree. It is a question of a large section of the community. He had recently received a letter from a small tradesman which pointed out that this man had invested his savings in brewery shares, and relied on his investments for his old age. What right had the Government to take away from that man his investment? He was receiving 6 per cent. Suppose he had invested £100 and invested the £6 a year that he received from his shares at 3 or 3½ per cent. as a sinking fund. At the end of fourteen years he would just get back his £100. If his necessities compelled him to spend that £6 he would lose his capital at the end of fourteen years. In either case he was robbed. There were tens and hundreds of thousands of men and women who had invested their savings in brewery shares, and what right had the Government to take away their property? Hon. and right

*Mr. Jesse Collings.*



hon. Gentlemen opposite might call it insurance. The result showed it to be simple robbery. If such a proposition were put before the country, there was not the shadow of a doubt what the answer of the country would be. In the people of England, whether in their sports, games or in their fights, there was a spirit of fairness. It was inherent in the national character, and if such a proposition was put before them as was illustrated by the instance to which he had referred they would not assent to it for a moment. If this Bill failed to become law, would the Government carry out their word? Would they submit it to the country? If they did the decisions of the recent by-elections would be found to be the simple foreshadowing of the verdict of the country. The United Kingdom Alliance was not in favour of temperance but of prohibition, and even if this Bill passed they would not be content. They would still go on for prohibition. Prohibition was their aim. He did not know a greater make-believe than the United Kingdom Alliance. They had said they were for prohibition, and had opposed every temperance reform from the time of Burke's measure so many years ago, down to the present Bill. They would not be content with this measure. They had been rightly described as the great bulwark of the liquor trade, because they had made all moderate reforms impossible. *Sharpe v. Wakefield* might be a legal decision, but to his mind there was a higher law even than *Sharpe v. Wakefield*—the Non-conformist element laughed at that higher law of morality. From the decision of *Sharpe v. Wakefield* up to the Bill of 1904, there were only thirty-two licences per annum suppressed on the ground that they were not wanted. That was the smallest possible fraction of the whole number; but because there was then an occasional possibility of suppressing single licences they were now confiscating all the licences of the country. That was the argument; but even the decision of *Sharpe v. Wakefield* was qualified by the words of Lord Bramwell and the Lord Chancellor. These qualifications, if read in connection with the decision, took away from it all the importance which hon. Members opposite attached to it. The clause had been

made a question of religion. He saw that the hon. Member for the Skipton Division of Yorkshire said that those who believed in it were on the side of heaven and that those who did not were on the side of hell. These were his words. He did not believe he would dispute them.

AN HON. MEMBER: Not a bit of it.

\*MR. JESSE COLLINGS asked hon. Members to fancy the noble Lord the Member for Marylebone and the Leader of the Opposition going to hell because they opposed the Bill, and further to imagine the hon. Member for the Spen Valley and the hon. Member for Appleby in heaven—in some suburban villa there—petitioning for a gramophone so that they might listen to the cries and groans of the brewers and of the two hon. Members he had just named. It was too ludicrous. The hon. Member for the Skipton Division had two roles in the House, one was to prevent the labouring classes from getting a glass of beer, and the other was to prevent the labourer from having a bit of land to cultivate. That was how he had distinguished himself during the time he had honoured that Assembly with his presence. An hon. Member had asked a question about the reduction of licences under some form of compensation. Under the Act of 1904 in three years from 1st January 1905 to 1st January, 1908, there were nearly 4,000 licences extinguished, and the progress of extinction was progressive because in 1907 there were nearly 1,800 extinguished. If that had continued for fourteen years, they would have had about 20,000 licences extinguished. Did the hon. Member call that a small reduction?

MR. SHERWELL: The hon. Gentleman is under some misapprehension. I never referred to the matter.

\*MR. JESSE COLLINGS said the hon. Gentleman spoke of some compensation by which licences might be reduced, and here was a means that did not need a farthing of public money. This reduction had gone on, and the licences suppressed were the very kind



they wanted to see extinguished. The judgment of the magistrates had enabled them to weed out those which were not satisfactory, and if the process were continued for fourteen years, they would have nearly 20,000 carefully selected licences suppressed. The Prime Minister said that that was not adequate. He wanted 30,000. But those 30,000 were to be done away with without any discrimination whatever. The 1904 Act, therefore, had been an excellent Act for the suppression of licences. He was amused by the temperance societies. Some years ago the Member for West Birmingham and himself went to Gothenburg to examine the system there, and on their return, the Member for West Birmingham introduced a measure to enable communities to buy licences. Who opposed it? Those represented by the right hon. Gentleman opposite. Their favourite phrase was: "We won't touch the accursed thing." But now, when they could get the licences for nothing, they were quite willing to touch the accursed thing, in fact, they were eager to do it. There was one other point. The question had been argued from the point of view of the brewery companies, but hon. Members knew there were scattered up and down the country hundreds and thousands of public-houses which butlers, and other mer-servants had taken. It was a small thing, but there were thousands of them. What right had they to go and rob them? They told them they were first going to put a tax upon them to extinguish their neighbours and then at the end of fourteen years they were going to extinguish them too. Would anyone get up and defend that sort of thing? There had been no defence. He quite recognised that Members liked to be loyal to party feeling, but when it became a question of honesty, surely there ought to be a number on the other side of the House who would refuse to be party to such a nefarious scheme as was contained in the Bill, or else give them some reason why they were a party to it. In some religious communities they had what was called a satisfying minister. When the old minister did not please them he was replaced by this satisfying minister. After a few weeks of him, they prayed Heaven to get the old one back.

*Mr. Jesse Collings.*

The present was the satisfying Government and the country was saying that it was tired of it and wished to have the old one back.

\*MR. J. M. ROBERTSON (Northumberland, Tyneside) said he had no desire to follow the right hon. Gentleman in his somewhat delicate theological speculations, but he would like to say that, if hon. Gentlemen opposite took up the position of resenting some of the invective proceeding from that side of the House, then they should modify their own language. The right hon. Gentleman who had just sat down had spoken of the Bill as a measure of robbery. He did not know what the theology of the right hon. Gentleman was or where he expected, in his theology, robbers to go, but he would suggest that, after using such expressions, they could only reasonably expect countervailing invective from the supporters of the Bill. The right hon. Gentleman first denounced the statement of an hon. Member on that side of the House that the supporters of the Bill were for the cause of good, and those who opposed it were for the cause of evil, and then he proceeded to apply the word "robbery" to the Bill. ["Hear, hear."] Did hon. Members opposite claim a monopoly of malediction as well as other monopolies? In spite of the number of interesting and able speeches in this debate there were some important matters raised in the discussion on the theory of property on which he proposed to offer a few comments. The right hon. Gentleman had drawn an analogy between the case of a railway and a public-house. He said the railway was a monopoly, and he asked if they claimed they could take it away after a certain number of years as they proposed to do in the case of the public-house. Supposing the State did, as he had no doubt it would ere long, take over the railways, it would, he presumed, do it on a valuation of their plant and stock; and, if any railway should be in the position of being able to present a claim for a monopoly value over and above that, it would be the particular duty of the State to give facilities for the creating of another railway for the destruction of that monopoly value. The two things were absolutely contrary

is character, and no such claim would ever be set up in the case of the railways. The right hon. Gentleman was particularly indignant over the case of the "Coach and Horses." He seemed to have given to the purchaser a quantity of sympathy the purchaser had not at all desired.

Mr. JESSE COLLINGS: He is sure this Bill will not pass.

\*Mr. J. M. ROBERTSON asked how in that case the right hon. Gentleman could condemn the Government. The real issue in the matter was this: The Government claimed that the limit they allowed was a limit which made any purchase of a licence at recent values still capable of being reasonably liquidated within the time-limit, and, if the purchaser paid a price that could not be balanced by fourteen years use, then he was a party to a general form of error which the Government could not be supposed to detect. He bought at the market value, and the market value was the basis of the time-limit proposed. Another hon. Gentleman opposite actually compared public-house licences with motor-car licences. They were told that if they took away public-house licences, they could equally take away motor-car licences after fourteen years. Was it suggested that motor-cars were limited by the issue of licences in the public interest? Some quotations had been made from speeches by Mr. Gladstone on the question of compensation. It happened that Mr. Gladstone, in his youth, was at one time ill-advised enough to accept the argument then current among Protectionists to the effect that the duty upon corn represented a contract between the State and the landed interest, and that the State having kept the tax on for a number of years had practically entered into a bargain with the landed interest that the tax would be continued and, therefore, that the State was bound to respect that bargain. In later years, however, he was sure Mr. Gladstone would see that that position was indefensible; but hon. Members opposite with their extraordinary notions of analogies would have no difficulty whatever in carrying the argument of analogy to this extent. If

they ever got a tariff they would have created, by their own argument, a vested interest which the State would not have the right to take away. The phrase "vested right" had been used again and again. One speaker had spoken of a certainty, although it was elicited in the course of the debate that the Licences Insurance Corporation actually spoke of the precariousness of the whole matter and admitted that there was nothing in the nature of certainty, and that licences were likely to be taken away as not required. There had been some mystification which he proposed to clear up. The hon. Member for South Hackney undertook to convict the right hon. Gentleman the Member for Spen Valley of contradiction. But supposing the right hon. Gentleman had written the passages that had been quoted, they were perfectly consistent with the argument of the right hon. Gentleman on the Second Reading of the Bill, when he contended that despite temperance legislation a large number of breweries were still good investments. That was a view which would be endorsed by any City man to-day.

Mr. BOTTOMLEY: My point was that he said all brewery investments were good investments.

SIR THOMAS WHITTAKER: Perhaps I may be allowed to interpose for a moment. I had hoped that when the hon. Gentleman was speaking I made it clear to the House not only that I did not write any of the passages which he quoted, but that I had no control over them and no responsibility for them. I do not wonder at the misapprehension of the hon. Gentleman; but it is not necessary for me to explain my own private relations in the matter beyond saying that my connection was not one which involved any control over or any responsibility whatever for those portions which the hon. Gentleman read.

\*Mr. J. M. ROBERTSON thought that that disposed of the personal aspect of the matter. The hon. Member for South Hackney now professed to have quoted a passage, which represented that some writer or other, not the right

hon. Gentleman the Member for Spens Valley, as having said that all breweries were sound investments. Not one of the passages he read could bear such a meaning. Hon. Members opposite were particularly gratified by the hon. Gentleman's argument in regard to the effect produced upon the drink trade by the famous decision which, according to some speakers, made a great trade newly secure, and to others newly insecure. The hon. Member began by telling them that the corporation for insuring licences was started originally because of the disquietude created by the *Sharpe v. Wakefield* decision. A little later on in his argument he triumphantly pointed out that the right hon. Gentleman, like all other sane men, just after that decision, realised that there was no ground for disquietude. These two perfectly contradictory arguments were welcomed opposite. The hon. Member went on to say that the corporation did very little business, the argument being that it was found that either there was nothing to insure or the publicans had become newly satisfied that they were secure and not insecure as they had supposed. They had the actual figures showing the business done by the Licences Insurance Corporation. It began in 1893 and it stated then that it had insured £3,000,000 worth of licences; in 1897 it claimed to have insured £12,000,000 worth; in 1898, £25,000,000 worth; in 1899, £30,000,000 worth; in 1900, £40,000,000; 1901, £50,000,000; and in 1903, £60,000,000 worth. They had heard of politicians who thought in continents, and there were financiers who thought in billions. It was a ground on which he did not feel at home.

MR. BOTTOMLEY: Has my hon. friend ever heard of a stage army?

\*MR. J. M. ROBERTSON: I have no doubt my hon. friend knows a great deal more about stage armies of that description than I do. It was from the hon. Gentleman that the suggestion came that this corporation, insuring in one year £60,000,000 worth of licences, and compensating in one year 399 houses insured for £396,000, was a stage army. He (Mr. Robertson) really

*Mr. J. M. Robertson.*

did not understand these high matters of finance, and the insinuations made concerning this corporation came from the hon. Member and not from him; but he preferred to regard those figures, coming from a corporation associated with such an honourable trade as the drink trade, as standing for honest finance and honest business. He thought such figures, drawn from public financial records, were better evidence than even the personal authority of so distinguished a financier as the hon. Gentleman. One or two words more on the aspect of the political theory of property. It was quite true that there were forms of property which were not freehold, and still were secure forms of property so far as they went; and it might be interesting to consider some of these forms of property as throwing some light on the ethics of political life. Let them take the case of patents. An inventor made an invention, for which the State gave him protection for a certain number of years only, after which the invention, which was the fruit of his brain, should be free to be copied by any man. Observe how they dealt here with the right in the invention, which might be a very great boon to mankind, and strictly limited it. Supposing that the patentee said this was robbery, and asked for a perpetuity of control, would hon. Members opposite give it him? Let them take the case of copyright. An author and his heirs had a copyright in his book for a number of years, and then the State abolished the monopoly profit from the sale. Was there any robbery there, or would hon. Members opposite ever propose greatly to lengthen the period of copyright? In the case of a man holding a farm and paying a certain rent, did hon. Members opposite recognise on his part any claim grounded upon a reasonable expectation of continuity? Reasonable expectation must be discussed on the basis of the commonsense of the nation at large. The commonsense of the nation at large was not to be found in the public-house. He was no temperance fanatic, but he was making a statement, the commonsense of which was known to the more thoughtful of hon. Members opposite. The reasonable expectation of which they had heard was simply the expectation of commercial egoism raised to the very highest

pitch. That could never be a basis for legislation for a democratic community. What was the example of other communities of the Anglo-Saxon race? Everyone of them would regard the House of Commons in dealing with the drink trade as quixotic in its generosity. All the protectionist Colonies and the United States, to which Members were so apt to point as the great models in the higher political science, would never dream of according to it half the concessions which were being offered in this Bill. On these grounds he supported the clause.

MR. WYNDHAM (Dover) said the hon. Member for Tyneside opened his animated and interesting speech by promising the Committee that he was going to advance some new arguments in favour of the position challenged by the Opposition. He created a legitimate expectation, but he had disappointed the Committee, because his speech travelled precisely upon the same lines as the speeches of hon. Members who had preceded him, notably that of the hon. Member for Huddersfield. His speech was made in order to prove that it was just to take away the property which had accrued in licences under existing circumstances, and in conjunction with the new circumstances which this Bill introduced. It was contended not only that this would be just, but also that it would be a very lucrative thing for the State. That practically had been the burden of the speeches made by hon. Members opposite. It was strange that though they were going to be asked to decide upon the crucial question of the Bill, not one speech from the Government side had yet discussed it. The last speaker had not attempted to justify the imposition of a time-limit in existing circumstances, still less in conjunction with the other proposals of the Bill. They did not believe true that those who had an interest in the licensed trade were not paying a proper contribution to the

of the State. If it were true, let them impose higher licences, though they held that that would be unjust. But the time-limit under existing circumstances, and in conjunction with other provisions in the Bill, would inflict an injustice, would destroy the good they sought, and would do nothing in the cause of morality. The Prime Minister had asked them to say whether they were opposed to any time-limit of any length. That was not the question which the Committee had to decide. They had to discuss whether it was just to impose this fourteen years time-limit in view of the historical facts which led up to the Act of 1904, and of the other provisions of this Bill. They thought it was not just, and even if there was a new untapped source of revenue to be discovered by those pioneers of finance, they would not touch it, because they would be making themselves parties in an act of injustice. The Prime Minister said it was just, because there were two elements in the property which he proposed to tax: (1) The expectation that the licences would be renewed, and (2) the expectation that the licensees would not be subjected to unlimited competition. But there was a third element in this property—the good-will which the licence-holder created by his business capacity. It all depended upon that third element, without which the other two had no value at all. So far as the expectation of continuity was concerned, they were not giving a boon to these men by giving them that expectation, but were merely providing them with what was provided to all others in all other trades by the State. If they destroyed this expectation, they destroyed the value which the man had added by his own business capacity, and in destroying that value they destroyed



Minister had dwelt on the second element, that the competition was not unlimited; but if they destroyed the expectation of continuity, they reduced the value of the second element, whatever it might be, to the point of insignificance, and if they carried the other provisions proposed they would extinguish it altogether. The fact was that they could not make this metaphysical trisection of the problem. Property in licences existed in the fact that it was going to be enjoyed in the future as at present, in the business capacity of the holders of licences, and in a minor degree in the fact that they were not exposed to cut-throat competition. If all those three elements hung together then he thought he had proved the second question he had put as to whether what was now proposed was just. He contended that it was not just. As to whether they were going to secure abounding revenue for the State, he believed that the amount of booty would be infinitesimal. When that had been urged in the country, it had been thought sufficiently ingenious to reply: "How inconsistent it is to say that we are going to rob a number of honest investors and, on the other hand, that we are not going to transfer any new and abounding revenues to the Exchequer." There was no inconsistency. They were going to destroy property and not appropriate it, and to those who owned it there was no difference if the Committee was invited to act in the capacity of savages or of brigands.

**MR. J. M. ROBERTSON:** What is robbery?

**MR. WYNDHAM** did not know that an act ceased to be an act of robbery when the property to be conveyed had been deprived of all its value. The third question was far more important than the

*Mr. Wyndham.*

second: Would this promote the morality of the country, supposing it were just and lucrative? If they had any time-limit, whether of fourteen or forty years, they were deliberately casting a shadow of opprobrium on the whole of this trade. Then they were surprised if they were able to describe it, as they wished to do, as shady—they made it as disreputable as they could. In the interest of the morality of the country they ought to seek to make the public-houses places of social recreation and honest enjoyment, and he defied any man to do that who voted for a time-limit. They could not expect that public-houses would be better regulated if they placed them under a ban of censure in this way. If the annual licence was to be really an annual licence then they made it absolutely necessary that the licence-holder should make as much money as he could out of it in that period. Public-houses in this country were not drinking shops. [Cries of "Oh."] Some of them were, but that was because they had proceeded in the past with too little regard for the best feelings of those men who conducted them. The public-houses were the only places where large numbers of the people could meet and exchange their words of wisdom, and Parliament had no right to make these places of social intercourse a form of shame to those who frequented them. Hon. Members had their comfortable homes and their clubs. If they had no such opportunities of meeting their fellow-men in reasonable circumstances of amenity and goodwill, they would become strangers and outcasts of their race. That was not a quotation but an application of the words of a man long since dead, the Lord Chancellor, Sir Thomas More, who laid it down that unless he found time at his meals to meet his family and his friends he would become a stranger in his own house. If Parliament denied to the working



classes the only equivalent open to many of them to such opportunities as were open to those better off, they would make them not only strangers in their own houses but strangers in the land of their birth.

\*MR. J. M. HENDERSON (Aberdeenshire, W.) said he did not rise to discuss the question of the time-limit. He understood the Leader of the Opposition had admitted the principle of it. He understood that the only point which the right hon. Gentleman made was that at the end of the time-limit it was proposed to take the monopoly value while in the interim the licence-holders would be contributing to the compensation fund. There was something in that view if compensation was to be paid on the principle on which it had hitherto been paid, but he submitted to the Committee that they would have to settle some reasonable and proper method of compensation other than the present system. Hitherto under the Kennedy judgment compensation had been computed on a vicious principle. He would give to the Committee a few figures which had come under his own notice, and which he thought ought to be brought to their notice when they were considering this question. Compensation was frightening hon. Members on the opposite side of the House—the compensation which would have to be paid during fourteen years, and the monopoly value which would have to be paid at the end of the fourteen years. The point he wished to make was this, that the licensing magistrates throughout the country had hitherto been putting an exaggerated construction on compensation and an equally exaggerated estimate on the

monopoly value. How did they arrive at the compensation under the present system? He would tell the Committee a personal experience. A client of his lent a publican £500. The house was in the City of London, and absolutely untied. The publican could not pay the interest or principal, and the result was that a receiver was put in possession. The receiver tried to sell the house, and he had not been there a month until he told the lender that he was losing money every day. The house was offered to brewer after brewer, and it was put up to auction, but a purchaser could not be found, and before long the debt on the place had jumped from £500 to £1,100. Would it be believed that that man got £1,000 compensation for the business, though it had been losing money every day? He could not believe that the Leader of the Opposition ever meant that anything of the kind should take place under the Act of 1904. The Kennedy judgement said that they had to give a man the "market value." When people talked of "market value" they talked very much in the air. There were certain things for which there was a market value, such as railway stocks, grain, iron, steel, and many other things in which there was buying and selling every day, but there were many things in which there was absolutely no market value. To use the term "market value" was to use a misnomer. The only market value was what a place would fetch at an auction. The house referred to was put up to auction and it was offered all round, and there was not a single bidder. [AN HON. MEMBER: Was there a reserve price on it?] There was no reserve price. What happened? The man's solicitor manoeuvred to leave the house scheduled for compensation. He

Hon. Gentlemen opposite did not allow for the historical change which had taken place in the character of the licence. When it was first issued, it was issued on free lines; but afterwards considerations of social order led to the imposition of restriction after restriction which had transformed the character of the licence. Parliament, while by its own action enhancing the value of a licence, had never adjusted its scale of taxation to the change in the character of the licence. Hon. Members opposite were now saying that, because Parliament had been remiss in the past, therefore its past remissness should be transformed into a permanent disability. Because for long years they had been charging the licensed trader considerably less than he should have been charged, because of their past extravagant generosity, they were to be penalised from obtaining at any time the payment long overdue. He believed that a good deal of the objections to these proceedings, and to this particular section, arose from the idea—a perfectly mistaken idea—that the trader at the expiration of the time-limit would be required to pay a large sum which represented his goodwill. That was not the idea which he had in his mind. What they desired to bring about was this: a condition of freedom under which the State should be allowed to adjust its scheme of licensing taxation so as to include a proper scheme of monopoly value. [An Hon. Member: We do it now.] An hon. Member said they did it now, and he would deal with that point. It was perfectly true that the Bill as now drafted, made a payment for monopoly value, an annual payment for an annual licence or a term licence, but he believed that to be so objectionable a form of monopoly value that he had placed on the Paper an Amendment to deal with it. He objected to the precedent of the Act of 1904. Under that Act we had been receiving large sums in the way of monopoly value for all licences issued under it. And the hon. Gentleman would say that under Clause 4 of that statute no question of compensation could ultimately arise in connection with one of those houses. He doubted that statement at the time; he doubted it to-day. When he looked at payments

which had been made for new licences from 1904; when he saw traders having to pay £5,000 down for a new licence, he said that that would cause the expectation of renewal which would constitute a practical embarrassment a few years hence, and he wanted to guard against the recurrence of the compensation difficulty. There was one criticism he would like to make in connection with the present proposal. Whilst he understood quite clearly the end towards which it proceeded, he doubted very much whether the present time-limit proposal would secure the end aimed at unless subsequently there was associated with it some new condition covering the tenure of licences, which would prevent the compensation difficulty or the expectation of renewal. For his own part, he did not think that anything except the institution of some form of public tender, such as proposed by Mr. Bruce, would guarantee the community against the recurrence at some future time of this compensation difficulty. But before he sat down there was one aspect of this question which had not been touched on, but to which he thought it was very desirable to allude. They heard a great deal concerning the injustice of this time-limit proposal. The injustice of it had always been construed to be in the treatment of the licensed trader, but he would like to ask hon. Members opposite whether there was not involved in this time-limit proposal a very distinct and definite injustice to the community at large. What was the price which the community was called upon to pay for this time-limit concession to "the trade"? He did not know whether it had been quite realised by hon. Members on the opposite side the financial price which the country had to pay for this concession of the time-limit. It was obvious that during the whole currency of the time-limit, i.e., for the whole period of fourteen years, there could be no adjustment of licence taxation to the real value of the licence. That was to say, that for the whole period of the time-limit the community must forego any increased taxation on licences. When he remembered the amount which was due from the licensed trade, he realised the amount which the community had to pay for this time-limit. Contrasting this taxation

with the taxation of the same trade in other countries, which represented conditions which in all essentials were identical with the conditions encountered here, he began to understand the real price that the country would have to pay for this generous concession to the licensed trade. He did not want to weary the Committee with figures, but he would give them one or two. Take the whole of the towns in the United Kingdom, with a population exceeding 30,000 persons—the average payment by the publican for a licence was £27 a year. Take towns in the United States of America of the same size, and the average payment made by the publican was £147 a year. Let him give another case. London to-day received from its liquor licences £275,000 a year, but if London received for them in proportion to population, the sum received from the publicans of New York she would receive just over £3,000,000 annually. The difference between the yield of the duties on our existing scale of taxation and the yield of the duties on the New York scale of taxation amounted to 1s. 3d. in the £, or nearly half of the revenue which the London County Council received last year by rates. He dared say he would be reminded by hon. Members opposite that while licence taxation in the United States was higher than it was here, the taxation of beer and spirits was lower; but when they made allowances to the full, he could prove, he believed, conclusively to the Committee that the liquor trade in this country was under-taxed to the extent of from £7,000,000 to £14,000,000 annually, and this sum must be lost to the community throughout the whole period of the time-limit. So that if they calculated the injustice to the community in pounds, shillings and pence, it did not rest with the licence-holder, but with the taxpayer of the country. That was one aspect of the question, but there was a more serious element in the price paid for the time-limit than that, and that was that it was inevitable that the efforts of the community must be fettered except in one direction, certainly as regarded all great and comprehensive measures of licensing reform. The community must wait, no matter how great might be its desire for freedom, until after the expiration of the time-limit.

The community being called upon to suffer this loss on the one hand, and being deprived of the power to exercise its resourceful energy for fourteen years, when hon. Members used the word "injustice" he said it should be used not on behalf of the licensing trade, but on behalf of the eager, over-ridden citizens and taxpayers.

\*MR. JESSE COLLINGS (Birmingham, Bordesley) said there was no man in the House more entitled to be heard on this subject than the hon. Member who had just sat down. He had followed his speech, however, with a great deal of attention, and he was bound to say that he hardly knew his exact position. He was evidently dissatisfied with the provisions of the Bill, and when he talked about the community paying compensation he thought his argument was rather far-fetched, because, however the community might pay, it was the individual who suffered. The hon. Member had also said something about some Amendment which he had put down to carry out his ideas, but they had not to consider what with his Amendment the Bill would be, but what the Bill did without his Amendment, because they knew that no Amendments that he would move would be of any use, because the Government were not likely to accept them. The hon. Member had said very rightly that compensation of some kind was the key of the difficulty. There was very little doubt about that. The hon. Member also said that statesmen should try to get some solution of that difficulty because it was the real problem; grant compensation, fair compensation, and everything else become plain and bereft of difficulty. But statesmen had not been consulted outside the Government, as they might have been, seeing that it was a question of national importance. It seemed to him that the United Kingdom Alliance had alone been consulted, and that the extreme teetotal party were the authors of this Bill. The hon. Member was also right when he said that the question of compensation was quite as urgent and prominent before the Act of 1904 as it had been since. The hon. Member seemed to lean in one part of his speech towards State compensation, and if hon. Members would accept that then they

but if they were to make up their accounts to-day, and if, whatever price they paid for their houses, they would take a ten years' purchase of the profit that the business of the public-house was yielding, they could, in fifteen years, paying 5 per cent. all the time, replace the whole of the capital at 4 per cent. The hon. Member for Ramsgate had referred to a brewery which was earning £12,600. But what was the capital of that brewery? He was amazed to hear it said that the capital was £700,000. The real value of that business was £250,000. When dealing with brewery finance it was no use telling the House that the capital was so much. What they wanted to know was how much was the profit and fair capital attributable to the ownership of licensed houses. He thought he had said enough to show that it was no use introducing general brewery finance into this question. He had no feeling against brewers, Heaven knew. He had held brewery shares himself, but they had gone. He thought that to adopt the deeply hostile attitude against the Bill which hon. Gentlemen opposite were taking up was a very great mistake.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) rose to continue the debate when,

MR. ASQUITH moved that the Question be now put. [OPPOSITION cries of "Oh, oh!" and "Gag."]

\*THE CHAIRMAN did not accept the closure stating that he thought the Committee would soon be ready to come to a decision.

VISCOUNT HELMSLEY said that the hon. Gentleman who had just sat down had made a very interesting speech. The latter part of it was devoted to showing the enormous profits which some public-houses made, and that, therefore, they could put aside reserve capital, while in the earlier part of his speech the hon. Member said that the licence-holders could not make any profit at all. They had all heard of the bloated profits which the brewers made in public-houses and a good deal in the course of the debate about the monopoly value, but he submitted to the Committee that, in those cases where public-houses did not pay because, as the hon. Member opposite had just said, there was too keen competition, there was, as a matter of fact, no monopoly value at all, and that, therefore, there was nothing which the owners of those houses owed to the State or which could be taken from them by the State. He did not wish to stand further between the Committee and the division.

Question put, "That the words after the word 'the' stand part of the clause."

Committee divided :—Ayes, 313; Noes, 117. (Division List No. 261.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Adkins, W. Ryland D.  
Agar-Robartes, Hon. T. C. R.  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armitage, R.  
Armstrong, W. C. Heaton  
Ashton, Thomas Gair  
Asquith, Rt. Hon. Herbert Henry

Astbury, John Meir  
Atherley-Jones, L.  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sir John E. (Somerset)  
Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.

Beck, A. Cecil  
Bell, Richard  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Brace, William

*Mr. J. M. Henderson.*



Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Brunner, Rt. Hn. Sir J. T. (Cheshire)  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burns, Rt. Hon. John  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Causton, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Churchill, Rt. Hon. Winston S.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Cox, Harold  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William  
 Crosfield, A. H.  
 Crossley, William J.  
 Curran, Peter Francis  
 Dalziel, James Henry  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dickson-Poynder, Sir John P.  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Ferguson, R. C. Munro  
 Findlay, Alexander  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gladstone, Rt. Hn. Herbert John  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, Hamar (York)  
 Gulland, John W.

Gurdon, Rt. Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Haworth, Arthur A.  
 Hazel, Dr. A. E.  
 Helme, Norval Watson  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Hooper, A. G.  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hutton, Alfred Eddison  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Lief (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Micking, Major G.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel

Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Morse, L. L.  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassettlaw)  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Grady, J.  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philippa, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richardson, T. F. (Wolv'rhampt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook



Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Taylor, Theodore C. (Ratcliffe)  
 Tennant, Sir Edward (Salisbury)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George

Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Vivian, Henry  
 Wadsworth, J.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, W. Dudley (Southampt'n)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)

Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wodehouse, Lord  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master  
 of Elibank.

## NOES.

Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Barnard, E. B.  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bottomley, Horatio  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Burdett-Coutts, W.  
 Butcher, Sir Samuel  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John F. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc)  
 Chaplin, Rt. Hon. Henry  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fell, Arthur  
 Fletcher, J. S.  
 Forster, Henry William

Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Gretton, John  
 Guinness, Hn. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'd)  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Joynson-Hicks, William  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lockwood, Rt. Hn. Lt.-Col. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, A. E. W. (Coventry)  
 Mason, James F. (Windsor)  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert

Nolan, Joseph  
 Oddy, John James  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Rasch, Sir Frederic Carne  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Roche, Augustine (Cork)  
 Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sandys, Lieut.-Col. Thos. Myles  
 Sassoon, Sir Edward Albert  
 Scott, Sir S. (Marylebone, W.)  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Smith, Hon. W. F. D. (Strand)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hn. J. G. (Oxf'd Univ.)  
 Thomson, W. Mitchell (Lanark)  
 Thornton, Percy M.  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 White, Patrick (Meach, North)  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wyndham, Rt. Hon. George  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

Progress was reported.

House resumed, Mr. SPEAKER, in the  
 Chair.

And, it being after Eleven of the Clock,  
 the CHAIRMAN left the Chair to make  
 his Report to the House.

Committee report Progress; to sit  
 again To-morrow.

Whereupon Mr. SPEAKER, pursuant to  
 the Order of the House of 31st July,  
 adjourned the House without Question put.

Adjourned at twelve minutes  
 after Eleven o'clock.

## HOUSE OF COMMONS.

Friday, 16th October, 1908.

The House met at Twelve noon of the Clock.

## PRIVATE BILL BUSINESS.

Education Board Provisional Orders Confirmation (Cornwall, etc.) Bill [Lords]; reported, without Amendment [Provisional Orders confirmed]. Report to lie upon the Table.

Bill to be read the third time upon Tuesday next.

## PETITIONS.

## LICENSING BILL.

Petitions against: From Brinscombe; Bristol; Filton; Forest of Dean; Hawkesbury; Huntingdon; Nailsworth; Oldbury; Rochester; Stinchcombe; and Tytherington; to lie upon the Table.

Petitions in favour: From Canning Town; Hethersett; Plaistow; Sheffield and other places; and Wrexham; to lie upon the Table.

## WOMEN'S ENFRANCHISEMENT BILL.

Petitions in favour: From Brighton; Edinburgh; and South Bristol; to lie upon the Table.

## RETURNS, REPORTS, ETC.

## RAILWAY ACCIDENTS.

Copy presented, of Returns of Accidents and Casualties as reported to the Board of Trade by the several Railway Companies in the United Kingdom during the six months ended 30th June, 1908, together with Reports of the Inspecting Officers of the Railway Departments to the Board of Trade upon certain Accidents which were inquired into [by Command]; to lie upon the Table.

## OLD-AGE PENSIONS ACT

Copy presented, of Finance for Pension Committee

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Committees [by Act]; to lie upon the Table, and to be printed. [No. 302.]

Copy presented, of Old-Age Pensions Regulations, 1908. Dated 20th August, 1908 [by Act]; to lie upon the Table, and to be printed. [No. 303.]

## BANKRUPTCY (RULES).

Copy presented, of General Rule, dated 20th August, 1908, in substitution for Rule 103 of the Bankruptcy Rules, 1886, in pursuance of Section 127 of The Bankruptcy Act, 1883 [by Act]; to lie upon the Table.

## SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Council of the County Borough of Salford, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for certain classes of Shops within the county borough [by Act]; to lie upon the Table.

QUESTIONS AND ANSWERS  
CIRCULATED WITH THE VOTES.

The British South Africa Company and the Transvaal Government.

MR. SLOAN (Belfast, S.): To ask the Under-Secretary of State for the Colonies if the British South Africa Chartered Company are in negotiation with the Transvaal Government with the view of the latter buying the rights of the British South Africa Chartered Company; and, if so, is it with the sanction of His Majesty's Government.

(Answered by Colonel Seely.) No, Sir; I am not aware of any such negotiation.

## Crown Agents for the Colonies.

MR. CLAUDE HAY (Shoreditch, Hoxton): To ask the Under-Secretary of State for the Colonies whether the Committee appointed to inquire into the constitution, management, etc., of the Office of the Crown Agents for the Colonies has yet made any Report; and, if so, whether he has any objection to state the purport of the same and what action, if any, has been taken thereon.

The  
sport.

**Postal Pay at Oswestry and Newtown.**

MR. REES (Montgomery Boroughs): To ask the Postmaster-General why Oswestry with units of work and cost of living 120 and ninety-six, respectively, is given a 44s. scale of pay for clerks while Newtown, with corresponding figures of 120 and ninety-three, is only given 40s.

(*Answered by Mr. Sydney Buxton.*) The volume of work at Oswestry and at Newtown is the minimum for offices in Class IV. Oswestry, where the cost of living index number is ninety-six compared with a normal 100, falls naturally into Class IV.; but the index number of the cost of living at Newtown, which is only ninety-three, is not sufficiently high to remove it from Class V.

**Employment of Temporary Clerks in Belfast Post Office.**

MR. SLOAN: To ask the Postmaster-General if he can say under what circumstance it has been considered necessary to employ six temporary sorting clerks in Belfast post office since 1907; if the necessity for employing these officers justifies an increase of staff; and, if so, if steps will be taken to do so.

(*Answered by Mr. Sydney Buxton.*) The employment of temporary sorting clerks and telegraphists was sanctioned as the best alternative to overtime pending definite provision for the duties concerned. Authority has already been given for replacing them by established officers.

**Old-Age Pensions Regulations.**

SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean): To ask Mr. Chancellor of the Exchequer what was the signature of the Statutory Old-Age Pensions regulations which caused the delay in laying upon the Table of the House the regulations dated 20th August, and stated to have been signed and given under seal on the 20th August, and explained in the Local Government Board circular dated the 21st August; whether the document as signed on the 15th October is to be substituted for that previously issued; and whether it differs from it; and, if so, in what respects.

(*Answered by Mr. Lloyd-George.*) I am advised that the requirement of Section 10 (3) of the Old-Age Pensions Act applies only to substantive regulations,

and does not apply to draft regulations, such as those signed on the 20th August last, even though they are, as these were, brought into operation forthwith as provisional regulations under the provisions of the Rules Publication Act, 1893. The substantive regulations under the Act were signed on behalf of the Treasury, and I believe also on behalf of the other departments concerned, yesterday, in accordance with the draft, subject to a few small Amendments, for particulars of which I may perhaps refer my right hon. friend to the regulations themselves, which will be circulated early next week.

**The Kathiawar Succession.**

MR. REES: To ask the Under-Secretary of State for India whether he can now give the House any information regarding the disposal of the memorial from the Chief of Jasdan regarding the law of succession in Kathiawar.

(*Answered by Mr. Buchanan.*) No memorial from the Chief of Jasdan has recently been before the Secretary of State in Council on the subject mentioned. It has, however, been decided on the memorials from several Kathi Chiefs and others, concerning which my hon. friend asked a Question on the 31st July last, that cases of succession to Kathi estates must be dealt with as they occur on their merits.

**Madras Landed Estates.**

MR. REES: To ask the Under-Secretary of State for India whether the memorial of the Madras Landholders Association against the Madras Landed Estates Bill is still under the consideration of the Secretary of State in Council.

(*Answered by Mr. Buchanan.*) The memorial in Question, dated the 6th May 1908, has received the careful attention of the Secretary of State in connection with the Act to which it referred. After full consideration he decided to leave the Act, to which the Viceroy had already assented, to its operation. But insomuch as it deals with complicated and difficult questions, the Secretary of State has directed that its working should be carefully watched. Any amendments of its provisions which experience may show to be needed will doubtless be made the subject of legislation with no unnecessary delay.

**Irish Proclaimed Counties.**

**MR. LONSDALE** (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what are the counties in Ireland which, since August 1907, have been declared by proclamations of the Lord-Lieutenant and Privy Council to be in a state of disturbance necessitating the employment of additional police; what was the date of each such proclamation;

what is the total number of police at present serving in each county, distinguishing between ordinary and extra establishments; and in what districts of counties unproclaimed are additional police employed, and to what extent.

(Answered by Mr. Birrell.) The information asked for is given in the following tables:—

**Proclaimed Counties.**

Counties.	Dates of Proclamations.	Actual Strength of Police Forces now serving.		
		Free Force.	Extra Forces.	
			Appointed in pursuance of Proclamation.	Reserve.
Clare - - -	27th August, 1907	356	107	52
Galway - - -	"	595	338	—
King's - - -	"	157	24	—
Leitrim - - -	"	145	19	—
Loughford - - -	"	108	21	—
Roscommon - - -	"	247	107	—
Sligo - - -	12th June, 1908	206	30	—

**Cattle-driving in Ireland.**

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will consent to the Return of which notice appears on the Paper for Monday relative to the number of cattle-drives in Ireland since 1st January, 1907.

(Answered by Mr. Birrell.) The Answer is in the affirmative.

**Training of Irish School Teachers.**

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the senior inspector at Derry has the authority of the Commissioner of National Education for pressing teachers in the Ballymoney district who have received a course of training in elementary science to attend another course now, and if authority has been given to demand from teachers their reasons for refusing to attend a second course; and what steps, if any, will be taken to protect teachers from such interference with their personal freedom.

(Answered by Mr. Birrell.) The courses in question are held by local technical committees under the Department of

Agriculture and Technical Instruction for the training of national school teachers in elementary science. The Commissioners of National Education inform me that their inspectors recommend the teachers for whom such courses are desirable or necessary and who are willing to attend. So far as the Commissioners are aware no pressure is exercised by the inspectors to secure the attendance of teachers. The teachers who are recommended by inspectors are furnished with forms on which they may make application for admission to the courses. Teachers who have already attended a course are debarred from attending a second similar course except at their own expense.

**Agrarian Crime in Ireland.**

MR. STAVELEY-HILL (Staffordshire, Kingswinford): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the number of persons tried before juries in respect of agrarian crime and cattle-driving in each of the two years ended 30th September, 1908, and the result of the trial in such cases.

(Answered by Mr. Birrell.) The required particulars are as follows:—

	Number of persons tried.	Number convicted	Number acquitted.	Number in whose cases the jury disagreed and the prosecution was dropped.	Number in whose cases the jury disagreed and new trials have not yet taken place.	Number of cases withdrawn.
<b>Agrarian Crime:</b>						
Year ended 30th September, 1907 -	65	14	42	8	Nil	1
Year ended 30th September, 1908 -	85	21	54	Nil	10	Nil
<b>Cattle-driving:</b>						
Year ended 30th September, 1907 -	12	Nil	12	Nil	Nil	Nil
Year ended 30th September, 1908 -	124	5	18	50	51	Nil

**Failure to serve Writs in Ireland.**

VISCOUNT CASTLEREAGH (Maidstone): To ask the Chief Secretary to

the Lord-Lieutenant of Ireland how many cases have occurred during the current year of process servers being



unable to serve writs owing to the disturbed condition of the district.

(Answered by Mr. Birrell.) During the period in question seven such cases came to the knowledge of the police, and four other cases were reported which the police regard as doubtful. The police authorities have no information as to the number of cases in which writs may have been sent by post owing to the belief of the process servers that formal service could not be effected.

#### Camp Pay to Territorial Soldiers.

MR. HERBERT (Buckinghamshire, Wycombe): To ask the Secretary of State for War on what date the pay and allowances due to members of the Territorial Force for attendance in camp this year were paid over by the War Office; whether he is aware that no payment in respect of such attendance in camp has yet been paid to the Territorials entitled to it; and, will he make some regulation requiring prompt payment in such cases

(Answered by Mr. Secretary Haldane.) The regulations provide for the issue of cash to the adjutant of each Territorial unit before proceeding to camp. He issues to officers commanding companies the sums required by them for the pay and allowances of the non-commissioned officers and men during the training. All the men, therefore, should have been paid at camp. Perhaps the hon. Member will give me some specific instance.

#### BUSINESS OF THE HOUSE.

SIR A. ACLAND-HOOD (Somersetshire, Wellington): May I ask the Prime Minister if he can tell us the arrangements for business next week?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. Asquith, Fife, E.) said they proposed on Monday to take first the conclusion of the Report stage of the Children Bill and the Third Reading, next the Prevention of Crime Bill to be ordered for Third Reading, at 8.15 the instruction on the Second Reading of the London Electric Supply Bill, and afterwards White Phosphorus Matches Prohibition Bill. Tuesday, Wednesday, Thursday, Friday would be the sixth to the ninth allotted days for the Committee stage of the Licensing Bill.

and Friday would be the sixth to the ninth allotted days for the Committee stage of the Licensing Bill.

#### LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 3:

MR. JAMES HOPE (Sheffield, Central) moved an Amendment to insert after the first "the" in the first line of subsection (1) the words "expiration of the lease of any licensed premises granted prior to the 5th day of April, 1908, or if there be no such lease, after the." The object of the Amendment, he said, was to mitigate a great injustice which the provisions of the Bill would undoubtedly inflict on the leasehold occupier of licensed premises in some cases, and of the reversionary owner of premises let on lease in other cases. What would be the position of the leasehold occupier of licensed premises under the Bill, assuming that he was not compensated during the fourteen years reduction period? During all that time he would pay the levy, in the first instance. Then at the end of that time he stood to have the whole of his interest taken away from him summarily without compensation, and at the same time he remained burdened with conditions of sale which might very possibly include payment for repairs, and also in many cases he was still saddled with the interest of the money which he had borrowed in order to acquire that interest. He could give as one example a lease granted in 1907 by the Ecclesiastical Commissioners for eighty years at £200 per annum rent. In addition they exacted a premium of £3,000, and they made the lessees spend £6,000 on the premises and promise to spend £1,500 more in 1918. All this burden, imposed by a Department of the Government, would remain on the unfortunate lessee, and unless he had what he supposed, on the whole, would be the good luck to be

for the whole term of seventy-nine years. There was another instance, in which he could not give the names, but they were all vouched for by the Central Board of the Licensed Victuallers' Protection Association of London, and he did not doubt that that body would, if challenged, at any rate, give the names in private. They vouched for examples like this—un-expired term of lease thirty-two years, licensed victualler's own money invested £16,000, of which £6,500 remained as a private loan. There were plenty of other cases—twenty-eight years un-expired, private loan £21,000, on which interest had to be paid; seventy years, private loan £20,000; fifty-two years, private loan £2,500. Much heavy and irreparable damage would fall upon the leaseholder, and in many cases upon the mortgagee as well. Another position was where a short time had to run, and in that case it was not so much the leaseholder who might suffer as the reversionary owner. In the case of a short term the reversionary owner would stand to have the full value of the licence, which in many cases, of course, was infinitely greater than the freehold, taken away from him. He supposed the right hon. Gentleman the Member for Spen Valley and others would say that these persons ought to have known the risks they were running. Ought they to have known? Certainly not before the time of *Sharpe v. Wakefield*. Ought they since? He contended that they certainly could not know the risk they were running of anything like the procedure which the present Bill contemplated. No doubt after the judgment in *Sharpe v. Wakefield* there was considerable alarm among all connected with licensed property. But as the limitations of that judgment became better understood it became clear that many of the original forebodings were very greatly exaggerated. For example, in the years between *Sharpe v. Wakefield* and the 1904 Act the average reductions of full licences, at any rate for redundancies, were only thirty-two a year, which worked out at a proportion of about 1 in 2,000 every year. If that was the risk, very light insurance premiums would have enabled all those interested to have fully covered their

*Mr. James Hope.*

risks. He did not know what premiums the corporation they had heard so much about yesterday demanded, but he was certain they could not possibly in the face of the present Bill renew their policies at anything like the premium when the risk was only 1 in 2,000 a year. Again, the expectation of the reversionary owner of licensed property was distinctly held to be good by two decisions in Courts of law. In the first instance, there was the case of *Bolton v. London County Council* in 1893, where the County Council tried to establish that the licence was granted nominally for one year only, and that there was no lasting value arising from the possession of the licence. The Divisional Court, Justices Day and Collins, entirely disregarded and put that aside, and said the market value of the property must be taken into consideration, and the decision of the arbitrator, admitting the reversionary value arising from the licence, was upheld. In another case, *Cocks v. Lady Henry Somerset*, in 1895 it was decided that Lady Henry Somerset, having a life interest in some licensed property, was not entitled to close the house and dispose of the licence, because of the ultimate reversionary benefit. Those who entered into those contracts, whether they were the leaseholders or the owners having a reversionary interest in future, or whether it was the case of a man having a reversionary interest in licensed property, were fully entitled to the expectation that the right which they bought would be guaranteed by the State, and if that was so before the 1904 Act their title was infinitely stronger since. Therefore, great as was the injustice to every class, the position of those whose interests were involved, where there was a question of a lease of licensed property, was very much greater, and it was that injustice which he asked the House to obviate. He was quite certain that in no other description of property would at any rate the majority of hon. Members opposite adopt or defend the same procedure which they applied to licensed property. He knew before this controversy arose that he held different religious beliefs from those of the majority of the House, but till this controversy arose he never knew how vast was the difference of his religious

belief from that held by the great majority opposite, because he was convinced that, with the exception of the hon. Member for South Hackney and one or two other chosen spirits, they were all guilty of the Manichæan heresy, which held that certain forms of matter were essentially evil in themselves and not merely in their effects, and that must be the belief of hon. Gentlemen opposite with regard to alcohol. They must look on it as something essentially vicious, and on anyone having to do with alcohol or making any profit by it as tainted by some special vice which disentitled him to the ordinary consideration that all other of His Majesty's subjects enjoyed. Only on this theory could he explain their attitude, and it was to obviate the worst injustice which this attitude produced that he moved this Amendment.

**Amendment proposed—**

"In page 3, line 9, after the first word 'the,' to insert the words 'expiration of the lease of any licensed premises granted prior to the fifth day of April, nineteen hundred and eight, or, if there be no such lease, after the.'"—(Mr. James Hope.)

**Question proposed, "That those words be there inserted."**

**THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said the Amendment as it stood would in the first place make nonsense of the clause. From the drafting point of view it was quite impossible and would have an effect entirely different from that which the hon. Member had mentioned.

**MR. JAMES HOPE** said that if the hon. Gentleman would accept the Amendment he would undertake to regulate the drafting.

**MR. HERBERT SAMUEL** said the Committee was entitled to ask that when an Amendment on so serious matter as this was put down the ordinary consequential Amendments should be put down also. The effect of Amendment if accepted, unless modified, would be that the whole Clause 3 would not operate until the termination of the longest

now-existing for any house. The monopoly value would not be taken until the longest lease had come to an end. Secondly, if it was modified in that particular it might have the opposite effect with regard to other existing leases which ran out, say, next year, and it would bring the monopoly value clause into operation as respected these houses immediately and would give them no time-limit. As soon as the lease came to an end the monopoly value would be taken. He failed to see why they should make this discrimination between the house which was held on a lease and a house which was held freehold. There were perhaps in a given neighbourhood two houses, one belonging to one brewery company and the other to another. The first had been bought freehold and was the absolute possession of the company, and in the case of the second a long lease had been purchased perhaps for a lump sum. In the case of the first house, if the principle of the Amendment was accepted, the monopoly value would be taken as soon as the time-limit came to an end. In the case of the second, no monopoly value would be taken until the end of the lease, perhaps seventy or eighty years hence. Obviously the company which held the freehold house would be put in a most unfair position in contrast with the company which held the leasehold house. They would be paying year by year the monopoly value, the trade would be undoubtedly handicapped in competition with the other house, and he failed to see from the point of view of the liquor trade itself how a discrimination of this kind could be defended. The hon. Member said the leaseholder at the termination of the time-limit when he began to have to pay the monopoly value had a continuing obligation. He had to continue—in spite of the time-limit and the monopoly value charge—to pay the rent which he undertook to pay before this

this point was concerned. Therefore, there was no reason whatever to discriminate between the leaseholder as such, and all those other persons. If they had any objection to raise at all it was against the time-limit clause as a whole, and not specially on behalf of the leaseholder as distinct from those other persons. Therefore, the case for this Amendment disappeared, and they came back to the general discussion of the time-limit. Their answer on the main point was simply that with regard to the leaseholder as with regard to the freeholder, or with regard to the brewery company which issued debentures, at the end of the time-limit they would have still in their possession the actual buildings which they had undertaken to rent, and on which the mortgage or the debentures had been issued. With regard to monopoly value it was their duty during the interval to put by a sum sufficient to enable them to meet the obligations they had entered into. The question resolved itself into the larger issue whether or not the time given was sufficient for the purpose. There was no reason whatever for drawing any discrimination between various classes of persons.

MR. A. J. BALFOUR (City of London) said he did not propose to dwell on what the hon. Member had described as the larger issue, because he had spoken on that, but a few words had fallen from the hon. Gentleman on which he wished to speak. In the first place he had criticised very severely the action of his hon. friend in having put down an Amendment, the general purport of which was perfectly clear, without at the same time having put down all the consequential Amendments required to carry it out in detail. He could not imagine a criticism coming with a worse grace from the Treasury Bench, or anything more inconsistent with Parliamentary convenience or Parliamentary practice than the way in which they had treated the House. They came down in the morning and found they were expected to discuss Amendments of which no notice had ever been given, and of which they had no conception when the Closure Resolution was moved, and that without a word of explanation

or apology. He would be out of order if he were to pursue that subject further. He only mentioned it in order to say he hoped they would hear no more as to putting down Amendments without notice. No crime, in respect of drafting, would equal in magnitude those which the Government were in the habit of committing. The only other issue which the hon. Gentleman raised besides the broader issue which he left to others to discuss was that this only dealt with one point of a general grievance. That might be true, but he had yet to learn that it was an adequate reason for not accepting an Amendment dealing with a small portion of a grievance that it left a large portion of the grievance still unredressed. Beyond the attack on his hon. friend on the drafting point, the hon. Gentleman had said literally nothing against the Amendment except that there were other grievances, similar in character and not less in magnitude, affecting brewers, landlords, and other classes. But that was no reason why they should not deal with the leaseholder, and he could not imagine that anything which had so far fallen from the Government supplied an adequate reason why the Amendment should be withdrawn.

\*MR. F. E. SMITH (Liverpool, Walton) said it was a little difficult to understand why the hon. Gentleman should make any point at all about the drafting of the Amendment unless the Government were prepared, if the Amendment was properly drafted, to accept the spirit of it. The hon. Gentleman had not told them, and it must be assumed that the Government was not prepared to accept the spirit of any such Amendment. Therefore, it was no use criticising its drafting. On the merits of the Amendment which had received such perfunctory treatment there was, perhaps, a point of considerable substance. The hon. Gentleman said there was no difference in quality, and he gathered his view was that there was no difference in extent either, between the grievance of the leaseholder and the grievance of the freeholder. Therefore the suggestion was made that his hon. friend was ill-advised and inconsistent when he attempted to apply

*Mr. Herbert Samuel.*



a partial remedy to the case of the leaseholder, whereas the only logical resource open to him was to deal with both the case of the leaseholder and the case of the freeholder. Five minutes of reflection would show how ill-founded such a position was. The hon. Gentleman said the leaseholder was in exactly the same position as the debenture holder. What the Government had told them from the First Reading until the present day was that under the magnanimous provisions of the Bill in fourteen years the debenture holders could all pay themselves off. They were told that this was an annual licence and it was only the good fortune of the licensed victuallers that they happened to be governed by a Ministry of unexampled generosity who had given them fourteen years to cover their financial loss in regard to something for which they were only entitled to one year's compensation. What had they to say with regard to the leaseholder with forty or sixty-five years still to run of licensed premises which were not worth the rent now being paid for any other purpose at all? If they would not produce that rental for any other purpose, what was the use of saying that such a leaseholder was in the position of a debenture-holder who could recoup himself in fourteen years? Such a proposition would not stand examination for a single moment. He would take for example the case which had constantly arisen in his own experience in the Courts—the application of a man who had taken a lease of premises say for sixty or seventy years. Those men were not wealthy brewers, but they were persons who in order to take advantage of the licence which they had been fortunate enough to obtain must of necessity borrow money and could only carry on their business by extensive loans. Now what was the position of those men who had incurred such large pecuniary obligations to enable them to take up the licence? They would ask themselves as business men whether a licence was a security on the strength of which they were entitled to borrow money. Practically there could only be one answer to that question. With regard to the criticism made by the hon. Member for Hackney of the right hon. Member for the Spen Valley's con-

nection with a financial paper, he wished to say that on the Opposition Benches they did not make the slightest attack upon the good faith or earnestness with which the right hon. Member for the Spen Valley had championed his view of the case for many years. At the time the right hon. Gentleman was the responsible editor of that paper he must have been aware of the tenor of the articles appearing in it. Supposing one of those persons who obtained a licence wished to decide whether it was wise to borrow a large sum of money over a period of years he would say to himself: "Is it a good investment and is there a reasonable prospect of the permanence of the licence?" Financial papers like the one which was edited by the Member for Spen Valley would be ready to advise him that it was a good investment.

In the case of Belton against the London County Council it was contended by the present Lord Justice Moulton that when taking licensed premises where there was a reversionary right there ought not to be compensation on the assumption that the lease gave an expectation. The learned counsel said that they ought not to compensate the holder of the reversionary interest, because the licence was only an annual right. That contention was carefully considered, and it was decided that there was no such limitation, and that it had the value which a reasonable expectation must be allowed to possess, and that was the market value. If a man took up a lease for seventy years at £300 or £400 a year, of premises which if not used for a licensed victuallers' business would not be worth £100 a year, were they going to propose to saddle that man with a loss of the difference for a period of forty or fifty years? It was preposterous to say that there was no injustice in such a case, and it was an injustice which hon. Members opposite must be conscious that the country would never allow them to commit. For argument's sake he would assume that the Government were right from the moral point of view and that the policy of the reduction of licences on this Bill was a sane and well-considered policy. Surely it was possible to achieve those moral objects and at the same time deal adequately and even liberally with men



who had been encouraged by right hon. and hon. Gentlemen opposite and their predecessors to invest their money in the trade.

When the Member for the Spen Valley said that everybody had received a warning that the State could repossess itself of that which it ought never to have parted with, two distinct propositions were involved: first, that the State ought never to have parted with it; and, secondly, that, having parted with it, the State could place itself at any moment in the same position as if it had never parted with it. But the fundamental truth of all this was that the State had actually parted with it. Let them assume that it had done so for misguided reasons. The Leader of the Opposition said last night most convincingly that the trade did possess and had been held by every legal tribunal to possess the right to be compensated on the market value which had been judged by lawyers and by men of business, and had been assessed by ordinary business methods which were always applied when considering value. It was impossible to deny the justice of that method. The Government might refuse to accept this Amendment, but he ventured to call the attention of private Members of the House, many of whom he knew were profoundly and seriously concerned in this matter, to the fact that the moral object of this Bill could be secured without injustice, and he hoped that even at the eleventh hour they would resolve that they could serve that moral purpose better by dissociating themselves from this proposal.

MR. SHERWELL (Huddersfield) thought the Leader of the Opposition had entirely misconstrued the logical meaning of the statement made by the Under-Secretary, who was quite right in the interpretation he had placed upon this Amendment, which the Opposition must realise did in its very essence, spirit, and intent raise the whole question of the length of the time-limit. The mover of the Amendment had stated that those who had invested in reversionary interests had no reason to believe before *Sharpe v. Wakefield* that their investments were in jeopardy.

Mr. E. E. Smith.

Surely when the hon. Member made that statement he was oblivious of the fact that in 1871 there was introduced in this House a responsible proposal for a time-limit of ten years.

MR. JAMES HOPE: And so unpopular was it in the country that the Bill never got to a Second Reading.

MR. SHERWELL said that *The Times*—an organ of public opinion to whose weight and authority hon. Gentleman on the other side would defer—in commenting on the proposal of Mr. Bruce, wrote in 1871—

“Every public-house for some years past must have been taken with full notice of prospective amendments in the law, not to speak of possible additions to rates and taxes.” Speaking of the actual terms of the compensation proposed, *The Times* wrote—

\*THE CHAIRMAN: I think the remarks which the hon. Member is making would be more appropriate on the next Amendment. We are only dealing now with the exception in the case of leaseholders, and the hon. Member appears to be addressing himself to the wider question

MR. SHERWELL said he would, of course, bow to the ruling of the Chairman, but he desired to say that he was only referring to a line of argument adopted on the opposite side. The purpose of this Amendment was to show that the precise term of time-limit suggested in the Bill was inadequate to compensate those who had invested their money in licensed premises. There were many hon. Members sitting on the Ministerial side who were prepared to consider any reasonable argument on that particular head, but what they objected to was the attempt to discredit the whole proposal of a time-limit on matters of detail. The onus of proving that the time-limit proposed by the Government was not sufficient lay with hon. Gentlemen opposite and not with those who were satisfied with the proposals of the Government.

\*THE CHAIRMAN: The hon. Member is not confining himself to the Amendment.

MR. SHERWELL said he would reserve his remarks until the next Amendment was proposed.

LORD R. CECIL (Marylebone, E.) said that this Amendment brought before the Committee the precise injustice which was inflicted by the proposals of the Government. He was not without hope that some hon. Members at least would bring themselves to see what was the real point of the objection to this subsection. The Under-Secretary for the Home Department had said that, if this Amendment were accepted, they would introduce unfairness as between different licence-holders; but that was not the real point. He rather agreed with the hon. Gentleman that a freeholder who entered into a contract had a strong claim of a similar character to that of the leaseholder who had entered into a contract. But that was not the real point. The real point of the Opposition objection was that of people who entered into contracts under one condition of the law, and if the law were changed and a different situation created, upon whom injustice was thereby inflicted. The injustice was not got rid of in the case that the Committee were considering by the Government declaring that the injustice was no worse than the injustice often inflicted in other cases. The Under-Secretary made no answer on this point except by saying that the people affected ought to insure, that they ought to create a sinking fund during the fourteen years, and then they would be able to apply that fund in liquidation of any loss incurred. How was that contention consistent with the proposition that no loss was being inflicted? If the Government admitted that at the end of the licence term there would be a loss which had to be met by the creation of a sinking fund, then they admitted the whole case against the Bill. Who would contend that if a property was taken away from a man no loss was being inflicted upon him because he ought to insure against the loss? Take the case of a burglary—and he did not say that this Bill was burglary—in which the argument was the same. What defence would it be for a burglar to say: “Oh! if the man had only insured against burglary he would not

have suffered any loss.” The argument was perfectly nonsensical. He was sure that neither the Under-Secretary nor the Solicitor-General could believe in that aspect of the Bill. They could not say they were not inflicting any loss upon the licence-holder because if he had a sinking fund the loss would be made up during the period. The hon. Member for Huddersfield had put the matter in a different way. He said: “It is quite true we are taking away something from the licence-holder, but we are not taking more than we might do by way of taxation.”

\*THE CHAIRMAN: I think the noble Lord is not addressing himself to the Amendment now before the Committee.

LORD R. CECIL said he did not dispute that ruling, and he would not follow that line of argument. All he would say of the particular case was this. Here they had the clearest possible case reduced to pounds, shillings and pence. Men who had spent large sums of money on their property and had agreed to onerous contracts in the belief that their licences were to be renewed year after year found by this clause that the right of renewal was being taken away, in addition to a fresh obligation being put upon them to pay a great deal of money. In this way the Government were forcing upon these men a different set of circumstances from those in which they entered into their contracts, and they were transferring the burden which ought to be shared between landlord and tenant entirely to the tenant, and allowing the landlord to go free of the burden. That was a clear case of hardship.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) said he hoped the Committee would come to a decision on this Amendment for the reason that they had not much time to discuss the larger question which was to come up afterwards. [An HON. MEMBER: Whose fault is that?] He was not saying whose fault it was; he was only pointing out the fact. The case put forward by the hon. Member who moved the Amendment was not that of the short leaseholder but that of the long leaseholder. He did not understand what the noble Lord



meant by loss. The phrase ought to be properly defined before the Committee could discuss it. But the point of the Amendment was clear. Assuming that the policy of the Government was right—namely, that there should be a time-limit—the only question that arose was: “Ought there to be an exception in the case of leaseholders, whether long or short?” Supposing a man before 5th April, 1908, intended to carry on his own business and bought a freehold. He gave the full value for it, with all the anticipations that every purchaser or investor under such terms would have. But, suppose in the next street, a brewery company took a sixty years’ lease under the same conditions, with the anticipation and prospect of what legislation might be hereafter. The meaning of passing this Amendment would be that the man in his own freehold would have to pay the monopoly value after fourteen years, whereas the brewery company would be exempt for sixty years from the monopoly value. That was the sole point raised by the Amendment.

MR. LAMBTON (Durham, S.E.) said the issue involved here was a narrow one. If a man was a leaseholder, he could not get rid of his obligations—he could not sell them in the open market. He was bound under his contract for a period of years. A freeholder could get rid of his. Was the leaseholder on whom this Bill would cast expense to get no relief?

\*MR. GRETTON (Rutland) said he did not wish to go into the general arguments. The Amendment, as he understood it, was for the purpose of relieving the leaseholder of penalties when the time-limit came to an end. The majority of these leases were for long terms, and many had fifty years and upwards still unexpired. He wanted to make it clear that this point did not affect brewery companies so much as retail licence-holders. In nearly every case there was an increased price charged for a lease if there was a licence attached to it. It had been recognised by the law of the land that that enhanced value was an obligation on the leaseholder, who, if he lost his

licence, had to meet that obligation. The Bill proposed to take away licences at the end of fourteen years without any compensation whatever. At the end of the time-limit, whatever that limit might be, the long leaseholder would be left with the obligation to pay the increased rental. The Government said that they could not accept the Amendment. Were they going to break contracts? Most of these leases had been taken up under a contract to preserve the licence; and if the licence were lost during the term of the leasehold, the leaseholder was under penalties to pay a lump sum down at the termination of the lease. There was another point. When premises were fitted up and adapted for a licensed trade, they were not adapted to other classes of business. If the licence were lost, alterations in the premises would be required in order to adapt them to some other business, so that rent might be obtained for them between the termination of the time-limit and the termination of the leasehold. That would be a tax on the leaseholder, who would have to spend a lump sum of money in order to alter and adapt the premises for some other trade or business. Such cases were exceptionally hard, and the Government, he was sure, had not realised the *impasse* into which they were leading the committee. If they were not prepared to accept the Amendment, they would have to meet this case in some form or other or they would find themselves in a dilemma which would raise an uproar and outcry in the country among some of those who were at present inclined to support the Bill in the belief that it was just to the leaseholders.

MR. JAMES HOPE said that the answer to the Solicitor-General was that the leaseholder was really subject to time-limit already. The time-limit was the limit of his lease, and the leaseholder had to make all his arrangements so as to make himself secure at the end of his lease. Now, the Government were making him attempt to do that in fourteen years, whereas, at present he had the whole period of his lease in which to do it.

Sir S. Evans.

...

Question put.

The Committee divided:—Ayes, 59 ;  
Noes, 183. (Division List No. 262.)

### AYES.

Acland-Hood, Rt. Hn. Sir Alex F.  
Ashley, W. W.  
Aubrey-Fletcher, Rt. Hn. Sir H.  
Balcarres, Lord  
Balfour, Rt Hn. A. J. (City Lond.)  
Banbury, Sir Frederick George  
Beach, Hn. Michael Hugh Hicks  
Bottomley, Horatio  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Carlile, E. Hildred  
Castlereagh, Viscount  
Cecil, Lord R. (Marylebone, E.)  
Clive, Percy Archer  
Craig, Captain James (Down, E.)  
Douglas, Rt. Hon. A. Akers-  
Du Croc, Arthur Philip  
Faber, George Denison (York)  
Faber, Capt. W. V. (Hants, W.)  
Fell, Arthur  
Fetherstonhaugh, Godfrey

Fletcher, J. S.  
Forster, Henry William  
Gibbs, G. A. (Bristol, West)  
Goulding, Edward Alfred  
Harris, Frederick Leverton  
Harrison-Broadley, H. B.  
Helmsley, Viscount  
Hill, Sir Clement  
Hope, James Fitzalan (Sheffield)  
Kimber, Sir Henry  
Lambton, Hon. Frederick Wm.  
Lane-Fox, G. R.  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Lonsdale, John Brownlee  
Mason, James F. (Windsor)  
Mildmay, Francis Bingham  
Moore, William  
Nicholson, Wm. G. (Petersfield)  
Oddy, John James  
Parker, Sir Gilbert (Gravesend)  
Pease, Herbert Pike (Darlington)

Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Rothschild, Hon. Lionel Walter  
Rutherford, John (Lancashire)  
Sassoon, Sir Edward Albert  
Smith, Abel H. (Hertford, East)  
Smith, F. E. (Liverpool, Walton)  
Smith, Hon. W. F. D. (Strand)  
Stanier, Beville  
Starkey, John R.  
Thomson, W. Mitchell (Lanark)  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Wortley, Rt. Hon. C. B. Stuart-  
Younger, George

TELLERS FOR THE AYES—Mr.  
Gretton and Earl Winterton.

### NOES.

Abraham, William (Rhondda)  
Adkins, W. Ryland D.  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armitage, R.  
Ashton, Thomas Gair  
Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Brace, William  
Brigg, John  
Burt, Rt. Hon. Thomas  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Cawley, Sir Frederick  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Clough, William  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Corbett, C. H. (Sussex, E. Grinst'd  
Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.  
Cowan, W. H.  
Craig, Herbert J. (Tynemouth)  
Crooks, William  
Crosfield, A. H.  
Crossley, William J.  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dickson-Poynder, Sir John P.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Dunn, Major E. Martin (Walsall)  
Eakins, David C.

Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Ferguson, R. C. Munro  
Findlay, Alexander  
Foster, Rt. Hon. Sir Walter  
Freeman-Thomas, Freeman  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gilhooly, James  
Gladstone, Rt Hn. Herbert John  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Grant, Corrie  
Greenwood, G. (Peterborough)  
Gulland, John W.  
Gurdon, Rt Hn. Sir W. Brampton  
Hall, Frederick  
Harcourt, Rt. Hn. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardy, George A. (Suffolk)  
Hart-Davies, T.  
Harvey, A. G. C. (Rochdale)  
Harvey, W. E. (Derbyshire, N. E.)  
Harwood, George  
Haslam, James (Derbyshire)  
Haworth, Arthur A.  
Hazel, Dr. A. E.  
Helme, Norval Watson  
Henderson, J. M. (Aberdeen, W.)  
Herbert, Col. Sir Ivor (Mon., S.)  
Herbert, T. Arnold (Wycombe)  
Higham, John Sharp  
Horniman, Emslie John  
Howard, Hon. Geoffrey  
Hudson, Walter  
Hutton, Alfred Eddison  
Hyde, Clarendon  
Illingworth, Percy H.

Jardine, Sir J.  
Johnson, John (Gateshead)  
Johnson, W. (Nuneaton)  
Jones, Leif (Appleby)  
Jones, William (Carnarvonshire)  
Jowett, F. W.  
Kearley, Sir Hudson E.  
Kekewich, Sir George  
King, Alfred John (Knutsford)  
Lamb, Ernest H. (Rochester)  
Layland-Barratt, Sir Francis  
Leese, Sir Joseph F. (Accrington)  
Lehmann, R. C.  
Levy, Sir Maurice  
Lewis, John Herbert  
Lupton, Arnold  
Macnamara, Dr. Thomas J.  
M'Callum, John M.  
M'Crae, Sir George  
M'Laren, H. D. (Stafford, W.)  
Marnham, F. J.  
Massie, J.  
Masterman, C. F. G.  
Menzies, Walter  
Molteno, Percy Alport  
Montagu, Hon. E. S.  
Morse, L. L.  
Murray Capt. Hn A. C. (Kincard.)  
Myer, Horatio  
Norman, Sir Henry  
Norton, Capt. Cecil William  
Nussey, Thomas Willans  
Nuttall, Harry  
O'Grady, J.  
Partington, Oswald  
Pollard, Dr.  
Ponsonby, Arthur A. W. H.  
Price, C. E. (Edinb'gh, Central)  
Price, Sir Robert J. (Norfolk, E.)  
Priestley, W. E. B. (Bradford, E.)  
Rea, Russell (Gloucester)  
Richards, Thomas (W. Monm'th)



Richards T. F. (Wolverhampton)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scott, A. H. (Ashton under Lyne)  
 Seddon, J.  
 Sherwell, Arthur James  
 Silcock, Thomas Ball  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie

Soares, Ernest J.  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Stewart, Halley (Greenock)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Wadsworth, J.  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Warner, Thomas Courtenay T  
 Wason, Rt. Hn. E. (Clackmannan)

Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Wedgwood, Josiah C.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. W. (Worcestershire, N.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

After the Chairman had announced the figures of the division—

MR. GRAYSON (Yorkshire, W. R., Colne Valley) said: Mr. Chairman, before you proceed with the next Amendment to the clause, I wish to call the attention of the House to the fact that, as I stated yesterday, there are thousands of people dying in the streets while you are trifling with this Bill. [Cries of "Order."] I shall not keep order. I am alone in this House, but I am going to fight.

\*THE CHAIRMAN: The hon. Member—

MR. GRAYSON: I refuse to keep order. [Cries of "Sit down."] I defy you to silence me.

\*THE CHAIRMAN: Order, order.

MR. GRAYSON: I will not keep order. I am alone in this House, but I have a large mandate behind me, and I refuse to allow the House to proceed while I am in it.

\*THE CHAIRMAN: Will the hon. Member—

MR. GRAYSON: The people I represent—[Cries of "Order" and "Sit down," and ironical laughter.] This is not a matter for laughter and callous indifference.

\*THE CHAIRMAN: Order, order. [Cries of "Order, order" and "Sit down."]

MR. GRAYSON: I absolutely refuse to sit down in this Chamber while it refuses to do something for the people who are starving wholesale. I refuse to wait another moment. [Renewed cries of "Order."]

\*THE CHAIRMAN: Order, order. Will the hon. Member allow me to ask this question: Does he understand that the House is in Committee, that the Committee can only deal with what the House instructs it to deal with, and that until I report progress we can deal with nothing else?

MR. GRAYSON: Then I will move that you report progress.

\*THE CHAIRMAN: The hon. Member cannot move to report progress, because that is not allowed to anybody except a member of the Government, under the special Resolution dealing with this Bill. If the hon. Member wishes to raise this question, he should do so in the House, and not in Committee.

MR. GRAYSON: Yes, Sir, the point I want to make is—[Renewed cries of "Order," and "Sit down."]

MR. GRAYSON: I shall not sit down.

\*THE CHAIRMAN: Does the hon. Member refuse to obey the orders of the Chair?





**MR. GRAYSON:** Quite so, Sir. I feel this matter so deeply that I must refuse to obey the Rules of the House.

**\*THE CHAIRMAN:** I must direct the hon. Member to resume his seat.

**MR. GRAYSON:** I know there is force and machinery enough in this House to compel me to sit down and to remove me from the House. I wish to say that I refuse to obey your orders, Mr. Emmott. [Renewed cries of "Order, order."] I know very well that Members of every section of the House are pledged to the Licensing Bill, but I refuse to obey— [Cries of "Order, order."]

**\*THE CHAIRMAN:** The hon. Member has refused to obey my instructions to resume his seat, and I therefore order him to withdraw from the House for the remainder of the sitting.

**MR. GRAYSON:** I refuse to withdraw from the House voluntarily, until the House has given some intimation of an attempt to attend to this urgent matter of unemployment—

**\*THE CHAIRMAN:** I want the hon. Member to understand what his conduct means. If he refuses to obey my order to leave the House, then I must name him, and the sitting will be suspended and the Speaker will be sent for.

**MR. GRAYSON:** I cannot help that. I refuse to permit the business of the House to go on until the House considers the people who are starving. [Cries of "Order" and "Withdraw."]

**\*THE CHAIRMAN:** Then, in that case, I name you, Mr. Victor Grayson, for disobeying the orders of the Chair.

The CHAIRMAN then left the Chair to report the circumstance to the House.

**MR. GRAYSON:** You cannot shame me. [Ironical laughter and cries of "Withdraw."] It is all very well for Members to laugh. [General cries of "Order, order."] Members have been always willing to adopt that attitude towards this question. [Renewed cries of "Order, order."] I shall obstruct the

proceedings so long as the House refuses to consider this question.

Mr. SPEAKER resumed the Chair, and Mr. EMMOTT reported that Mr. GRAYSON had been named by him to the Committee as disregarding the authority of the Chair.

Whereupon Motion made, and Question, "That Mr. Grayson be suspended from the service of the House,"—(Mr. Asquith,)—put, and agreed to.

**\*MR. SPEAKER,** addressing Mr. Grayson, said: I have to inform the hon. Member that he is suspended from the service of the House, and I must ask him to leave the House.

**MR. GRAYSON:** I leave the House, as I said yesterday, with pleasure, because I feel that no man—[Loud cries of "Order"]—can stay in this House another moment. [Renewed cries of "Order."]

**\*MR. SPEAKER:** The hon. Member is not entitled to address the House after he has been suspended.

**MR. GRAYSON:** Well, then, I leave the House, as I said before, feeling that I have gained in dignity by leaving this institution, and I hope that—[The remainder of the sentence could not be heard in consequence of loud cries of "Order."]

The hon. Member having started to go out of the Chamber turned back again and loudly exclaimed: "This House is a House of murderers." He then withdrew.

#### LICENSING BILL.

Again considered in Committee.

**\*MR. BOTTOMLEY** (Hackney, S.) said the object of the Amendment he desired to submit to the Committee was to extend the period of the time-limit from fourteen to twenty-one years. He was aware that by the Resolution of the Committee last night the principle of the time-limit was no longer before them, and he would endeavour to avoid

any discussion of the matter from that point of view, but he was encouraged to move the extension of the period by the fact that the Prime Minister had more than once intimated to the House that Clause 1, fixing the reduction period, did not necessarily govern Clause 3. The grounds upon which he asked the Committee to say that the time-limit in the clause was too short were, first, that the whole thing had been thrown on the trade by way of surprise, and secondly, even if that point failed, it was impossible for any prudent trader interested in this trade to make adequate provision for the redemption of his licence within the proposed period of fourteen years. As to the first point, it was frequently contended that whether the time-limit was fourteen or twenty-one years, or any other period, the trade had been fully warned that some time-limit would probably be enacted, and in the discussion of a subsection which occupied the time of the Committee the night before, he ventured to indicate, so far as the chief champion of that view was concerned, it was a novel point of view for him to take. He wished to say especially after a word or two with the right hon. Gentleman, that nothing was further from his desire than to impugn the absolute integrity and good faith of the right hon. Gentleman the Member for the Spen Valley, and he accepted without any reservation his personal assurance that, whatever might have appeared in the *City Oracle* in the way of financial answers, he was not primarily responsible for it, although he was responsible. But when the right hon. Gentleman said that, he could not help asking the Committee what would be said of a licensed victualler charged with allowing intoxication on his premises, who pleaded that, owing to pressure of work, he had overlooked the matter. He would ask the right hon. Gentleman to extend the same generous consideration and allowance to the members of the trade as he asked for himself in this particular matter. It was said that the trade and the investing section of the public had been warned that some kind of time-limit was imminent, and in proof of this, the Member for the Spen Valley called attention last night to the fact that in 1891, about the

*Mr. Bottomley.*

time of *Sharpe v. Wakefield*, an institution was established called the Licences Insurance Corporation. If he inadvertently did an injustice to that Corporation when he said it was not doing the flourishing business which was anticipated, he apologised. He was misled again by the right hon. Gentleman's journal, because he found that when that company was being offered to the public, and when the right hon. Gentleman, it was said, knew very well, and every licensed victualler ought to have known very well, that the danger was imminent, and of the pressing necessity of insuring against losing his licence, the right hon. Gentleman's journal said—

“In our opinion, the idea of the Licences Insurance Corporation is a good one, but whether the company will ever secure the business for which it caters we cannot say.”

He thought that quotation justified the view which he took at that time, and which the right hon. Gentleman himself took, that there was no imminent danger. When the hon. Member for Tyneside was speaking last night, he interrupted him to say that he had established by quotations from the right hon. Gentleman's journal that he had held out to the public that brewery investments were intrinsically sound. The hon. Member had called his attention to the fact that he had not done so, and, therefore, simply for the purpose of keeping good faith with the Committee, he desired to read one quotation, typical of many others, in the general answers—

“Brewery Shares.—We should hold these shares. They represent very sound property.” He only mentioned these matters in aid of his argument that, even at the time of *Sharpe v. Wakefield*, subject to good behaviour and the requirements of the district, the expectation of the renewal of a licence was a thing of which any Court of equity would take cognisance, upon which any ordinarily prudent trustees could invest money, and which, as a matter of fact, did lead to the investment of an enormous amount of capital by perfectly innocent people. After *Sharpe v. Wakefield* and up to the time the Act of 1904 was passed the average annual number of licences disallowed was thirty-two. Therefore it was obvious that whatever discretion the justices had they quite understood

after *Sharpe v. Wakefield* it must be very judiciously exercised, with the result that the Act of 1904 was passed under which the man who lost his licence was reimbursed by his fellow tradesmen for the loss of his property. He did not wish to weary the Committee by abstruse calculations as to how far under a limit of fourteen years it was possible for a licensee to redeem his property. He desired to take one concrete and governing case in support of his contention that the time-limit of fourteen years was too short—the case of the last of the licences sold by His Majesty's Government. He thought there could not be a stronger argument submitted to the Prime Minister than that he should be able to show that the licence recently sold by the Government to a purchaser in the open market, which, under the operation of this clause, must go in fourteen years, must of necessity involve a very heavy financial loss on the purchaser. It was said, yesterday, by the Secretary of State for War, that the purchaser of the "Coach and Horses" was thoroughly satisfied with his bargain. He had in his hand a circular, dated 12th March, 1908, which had been issued by the purchaser, and in which he complained bitterly that, within a few months of paying his £10,000 to the Government, this "confiscation Bill," as he discourteously called it, was sprung upon him. This was how the purchaser dealt with the question of the time-limit, and if any member or supporter of the Government could answer his argument, he would be quite prepared to withdraw his Amendment.

"I assume £10,000 to have been the reserve placed upon the property at the sale, as there were bids against me to that amount. . . . The Government must have known their intentions, when they fixed their reserve and accepted the full market value of the property as licensed premises, of introducing (less than six months later) a confiscation Bill, which, if passed into law, will deprive my company of at least three-fourths of the amount they duped me into paying. I have had this property valued, minus the licence, by three of the principal firms of valuers in Portsmouth, with the following results."

He gave the names of the valuers, and their figures were £2,500, £1,950, and £1,000—

"giving an average of £2,150 as the value of the whole of the land, with the bricks and mortar. In the common division of brewery

holdings, one-third ordinary shares, one-third preference shares, and one-third debenture stock, the investment would work out as follows: £3,333 6s. 8d. ordinary shares, £3,333 6s. 8d. preference shares, £3,333 6s. 8d. debenture stock. With a time-limit as proposed in the Government Bill the whole of the ordinary shares would disappear, the whole of the preference shares would disappear, and, accepting the mean valuation at the figure quoted, £1,183 6s. 8d. belonging to the mortgage debenture stockholders would also be lost. The futility of the contention that the capital value of the licence could be written off in the time-limit suggested in the confiscation Bill is self-evident. I am able to prove that the profit secured by rent and trade on this investment is 3½ per cent. It would be impossible to write off the capital value of the licence as assessed by the Government in any time-limit."

He would not read the peroration with which he concluded, because it was not quite suitable for a business argument, but here was a case of a man acquainted with the trade purchasing, at a price fixed by the Government, a licensed property, and by the operation of this clause passed within a few months of the completion of that purchase they had this solemn statement by the purchaser, which, unless it was confuted by the Prime Minister, meant that of necessity he must lose two-thirds of the purchase price, of which he was to make a present to the Government who sold him the property. That was one case. The purchaser there represented a brewery company. He would take one other case, which was the case of a publican. Quite recently a man with whom he was acquainted, and who owned two large licensed houses in London, died. Upon his applying to the solicitor to the estate he was told that the following was the effect of this Licensing Bill. One of the houses was held on a lease of which there was an unexpired term of thirty-seven years to run, at an annual rental of £150. That house was valued for the purposes of probate at £29,000, and the present mortgage upon it was £37,455. The other house was valued for probate at £17,000, and the value of the mortgage was £26,000. The valuer told him that but for the present proposals of the Government the valuation of the goodwill of the two houses would have been increased to the extent of £25,000, and further, that if this time-limit of fourteen years prevailed it would be impossible

to set aside out of the earnings of this property a sufficient sum to allow any margin whatever for the maintenance of the widow or the education of the children. There was a tragedy in a picture of that kind. He happened to be well acquainted with the family of the deceased man, who died suddenly at an early age. The children were being well brought up and receiving a good education. They were respectable people in every way. The man, by his industry and energy, his vigilance and enterprise in the conduct of these houses, upon which a slur had never been cast, believed he had made provision for his family. Yet he was scarcely dead when the solicitor who had the conduct of his affairs showed that by the operation of this Bill the family had become practically paupers. If a state of things like that could happen, the Government surely could not resist the contention that a fourteen years time-limit was inadequate. He therefore suggested it should be increased to twenty-one years, not because he believed that twenty-one years was sufficient to enable proper provision to be made, but because he thought that possibly a compromise to that effect might be conceded, in which case those persons holding licensed property would be so much better off than they otherwise would be. He had been struck by some very remarkable features of this discussion. The hon. Member for West Aberdeen had made a most interesting speech. He exhibited the spectacle of a stern Scottish temperance reformer championing the brewers. He had pointed out that they had had plenty of time within this time-limit to make provision, and had declaimed loudly on the fact that compensation had been paid in cases where none was due, and that therefore the trade had been deceived. He (Mr. Bottomley) was sure that the trade was grateful to the hon. Member and he hoped that the hon. Gentleman would continue to show the same solicitude when he saw that the trade was likely to be defrauded, whether by the State or by an individual. Then there had been the spectacle of the hon. Member for Tyneside, one of the most cultured agnostics in the country, championing the cause of the Nonconformist conscience. The hon. Member, had referred to him as a distinguished and

successful financier. He hoped he might be entitled to claim that description. At any rate, he did not know of any reason why he should not. However that might be, he claimed to be a successful journalist, and he hoped as a journalist he should never select the argument that anything which appeared in his paper appeared there without his responsibility simply because he had not physically and actually written it. The point he wished to make to the Committee was that the right hon. Gentleman the Member for Spen Valley had allowed this temperance movement, as it was called, to become his obsession. Other earnest temperance reformers were in the same position. The again the words "temperance party" were almost an insult. It was certainly an anomaly in the Parliamentary life of this country that there should be a so-called temperance party. He did not think that anyone who was in opposition to this Bill would like to be called a member of the intemperance party. Anybody who took part in this debate, whatever attitude he might take with reference to this Bill, was alive to the evil of intemperance, the opponents to this Bill just as much as the most ardent and enthusiastic temperance reformer. It was a waste of time to tell them about the evil; they could not walk a yard without realising it. But the imposition of a time-limit of fourteen years, and that was why he desired to make it longer, came as a great shock to the conscience of the public. Rightly or wrongly, people had arrived at the idea that some injustice was being done to their fellow-citizens, and no Act of Parliament which gave rise to that idea could obtain the moral sanction of the community. If the Government could concede another seven years to the time-limit, that would be some satisfaction to popular feeling. People would say that the trade had so much longer to protect itself. Not only the trade, but other people who had invested their money in these things—that they also had a better chance of protecting themselves against the effect of this Bill. Fourteen years had been shown to be absolutely insufficient to enable the trade to protect themselves, and therefore they should be given a better chance. It was the organic principle of the articles of faith of the Liberal

*Mr. Bottomley.*



Party that there should be equality of opportunity and fair play for every section of the population: therefore he begged to move the Amendment standing in his name.

#### Amendment proposed—

"In page 3, line 9, to leave out from the first word 'the,' to the word 'compensation,' in order to insert the words '5th day of April, 1930.'"—(*Mr. Bottomley.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. NUSSEY (Pontefract) said that as he had put a similar Amendment upon the Paper he felt compelled to support the hon. Member for South Hackney, and should follow him into the division lobby. He hoped the Government would see their way to say that this fourteen years was not a hard and fast time-limit which could not be altered. There was a general feeling that there should be some extra time over and above the period of the fourteen years during which the trade had to pay compensation to those whose licences were suppressed in order that those which were left might to a certain extent recoup themselves. This Amendment did not affect the question of the reduction of licences, which, as he understood, was the main principle of the Bill. But the Amendment did affect a very large and valuable class of property held by people all over the country. The value of these licences had been estimated at anything between £95,000,000 and £150,000,000. He was not lawyer enough to be able to say whether licences were actual property or not because their value was based on great expectations which had been formed by the trade. At the same time those expectations were sufficiently good and sound to enable these licences to be bought and sold. In other words, those who bought them knew exactly what their value was and what the state of the law was. The main fact was uncontroverted that if this Bill did not become law these licences at the end of fourteen years would be of very much the same value as they were to-day, but that if this Bill were passed into law with this time-limit they would be worth nothing. Under the Bill the Government were going to transfer the millions of

money represented by these licences from the pockets of the people who held them into the hands of the State. They were told that a time-limit made all the difference, and in a sense of course it did, because it enabled a sinking fund to be formed, during which the trade could set aside a sum of money yearly to meet this vast change in their condition; but he ventured to think that fourteen years was too short a time to enable the trade to do that. If they invested their money at 4 per cent. to raise a certain sum in fifteen years, they had to put away 5½ per cent. of the capital they wished to raise yearly. The trade ought to expect a fair return from the money invested in it, and they might take 8 per cent. as a fair return, and if they had to put away 5½ per cent. of their capital value it would leave them a small return indeed to meet the actual charges on that trade. If they took a twenty-one years time-limit they had a slightly better state of affairs. They were told that these breweries were very rich companies with vast reserves, out of which they could pay these heavy charges. That might be so in some cases, but there were a great many of these houses owned by private individuals, and it did not seem to him really to affect the issue whether they were owned by wealthy brewers or not, because they had to consider whether these charges could be met by a reasonably prudent trader. There was another aspect of the question. A time-limit would immediately affect the market value of the whole of these securities to a very great extent. They were based at present on the expectation that these licences would be renewed, and they were bought and sold as if the licences would be renewed in perpetuity. If they put in a term of fourteen years they immediately dropped the value of those licences by something like 50 per cent. the very first year of their time-limit, and as it went on it would decrease to vanishing point. He would urge that the test of this question was what the ordinary prudent trader could do who had to meet the ordinary trade risks and make the ordinary business profit. He knew that all this class of property had always been subject to fresh legislation and that they should have been prepared to meet



fresh legislation, but he did not think it was fair to say that they ought to have been prepared to meet legislation with a fourteen years time-limit. They might say that railway companies ought to be prepared to meet the possibility of all their lines becoming national property, but he thought in this Bill they were putting the case too high against the ordinary prudent trader. It had always been the practice of Parliament not to bring about violent disturbances of property without careful compensation being awarded, and he hoped in this case that course would not be departed from. If this Bill was to become law it would have to commend itself to the ordinary fair man in the street, and it would not do that unless they extended their time-limit to twenty-one years.

\*MR. CLOUGH (Yorkshire, W.R., Skipton) said he supposed that, this Amendment having been moved by the hon. Member for South Hackney, the Amendment in his name would naturally go overboard. His Amendment was to reduce the time-limit to twelve months instead of extending it to twenty-one years. He was opposed to compensation in any shape or form for the liquor traffic. He was not one of those who thought the liquor traffic was a gigantic charity organisation carried on for the moral, intellectual, and spiritual benefit of widows and orphans. He held more the opinion of the late Lord Randolph Churchill that it was a devilish and destructive traffic, and for that reason he was not prepared to vote for compensation either in the way of hard cash or money to be provided by Parliament, and if there was to be a time-limit twelve months was long enough for him. He was quite aware that the Act of 1904 had given them to some extent a vested interest, but they never had one before then. They knew they never had one. If they took the first Licensing Act of any moment, that of 1828, they would find it laid down by Lord Brougham that the licensing justices had absolute discretion. They could renew the licence of a house that had been conducted, and badly conducted, for only twelve months, and they could refuse the licence of a house that had been conducted for fifty years

and had been conducted well. That was proved up to the hilt by the celebrated case of *Sharpe v. Wakefield*. If they had to have a time-limit, one extending beyond one year was too long for him. The time-limits of the past had been expended by now. The Royal Commission of 1899 (Minority Report) recommended a time-limit of seven years. Those seven years had flown and two others along with them. In 1893 the Bishop of Chester introduced a Bill into the House of Lords, and he suggested that five years notice should be given to the licence holders that after the expiration of that time they would be annual licences, but since that Bill was introduced, in addition to the five years, another ten years had flown. In 1876 the right hon. Gentleman the Member for West Birmingham proposed that they should have compensation to the tune of five years purchase on the average annual profit. Since then not only had the five years flown, but twenty-seven years as well. In 1871 Mr. Bruce proposed in his Bill a time-limit of ten years, and since then there had flown in addition to the ten years twenty-seven years. Therefore he submitted to the House that for the Government to come along at this date and put on the top of all those warnings and proposals another time-limit of fourteen years was altogether more than met the necessities of the case, and he would appeal to the Government that they were setting a very dangerous precedent in compensating expectations. The hon. Member for Tyneside yesterday said that the late Mr. Gladstone had once fallen into the pit of thinking that all the landowners should have compensation for the abolition of the corn laws because of their expectations, and they would have the same thing when they came to deal, say, with education. Now that the denominational schools had been thrown on to the rates would they not want compensation for expectations when they took them off? Notwithstanding all that, when the Chairman put the Question from the Chair, he would be so inconsistent as to vote "that these words stand part," and he trusted an overwhelming majority of the House would put the reduction period in the Bill at fourteen years, and that the Government would set their faces like a flint so

*Mr. Nussey.*

as not to allow the other House to extend the period by one day.

\*MR. CHARLES ROBERTS (Lincoln) said there were two points involved in this Amendment. The mover said he moved it because of his zeal for temperance reform. He did not question his zeal, but he was postponing the most valuable temperance reforms in this Bill from fourteen to twenty-one years. He should express his zeal for temperance reform in some better way than that. His other point was a question of whether the liquor sellers were really able to write down their capital within the period of fourteen years without suffering excessive loss, and he instanced the case especially of the "Coach and Horses." He said that fourteen years was a shock to the consciences of the British public, and that twenty-one years would relieve their feelings; but surely that was a somewhat vague method of treatment. He had heard from the benches on the other side that this was a question of actuarial discussion, and the right hon. Gentleman the Leader of the Opposition said it was the sort of question on which no bishop dared express an opinion. In this discussion let them then get a closer grip with the facts and have some more definite statements than the mere case of the "Coach and Horses." There were two points in that case, one being that no sufficient notice of the intentions of the Government were given to Sir William Dupree, but he thought there was. Statements of Members of the Government could be quoted during all the months preceding the purchase of that house. They were recorded in the liquor trade papers, and it was common knowledge, but that was a small point; they knew it very well.

AN HON. MEMBER: Knew what?

\*MR. CHARLES ROBERTS said they knew, in the words of the Home Secretary, that—

"No solution of the question could be satisfactory which did not ultimately effect the transfer of the licence value, or the monopoly value; the Government were pledged to deal with the question at the very first opening of the next session."

That was on 7th June, 1907, and it was taken into account by the Brewery

Debenture Holders Committee. Member after Member of the Government during 1907 and also in 1906, had repeatedly stated that they were going to deal with a comprehensive measure of licensing reform. That must have been present in the mind of Sir William Dupree.

MR. YOUNGER: What about the promise of the Prime Minister that there was to be no confiscation or injustice?

\*MR. CHARLES ROBERTS: The Prime Minister said there was to be no confiscation or injustice, but he went on to say—

"What would amount to confiscation was a matter on which opinions would probably differ."

He had a letter of Sir William Dupree which he had studied, and, in the first place, Sir William said in reference to the "Coach and Horses," that he had no grievance over the purchase. The actual words were—

"My only object was to show that six months before the introduction of the Bill, the licence was sold by the Government for £7,500."

"Under the law of value existing at the time of the purchase," he had no reason to be dissatisfied with the purchase, and, in fact, if he had wished to get rid of it, trade competitors would have been very glad to relieve him of that purchase.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall): Would they now?

\*MR. CHARLES ROBERTS: Oh, yes. I understand so.

SIR F. BANBURY: Because they know the Bill will never pass.

\*MR. CHARLES ROBERTS: How do you know that?

SIR F. BANBURY: The bye-elections show it.

\*MR. CHARLES ROBERTS: They were elections in which the other side polled a minority vote during the time that the Licensing Bill was before the country.

SIR F. BANBURY: Haggerston.

\*MR. CHARLES ROBERTS: I am taking the votes of the years' elections altogether, and that is a fact. Continuing, the Member said in reference to the contention that the licence value of the "Coach and Horses" was worth £7,500, and that the site and structure were worth £2,500, Sir William Dupree said he was only getting  $3\frac{1}{2}$  per cent. on that purchase. That, frankly, was incredible. He was a member of a compensation authority, and he knew quite well that if Sir William was only getting  $3\frac{1}{2}$  per cent. on the purchase the licence value could not be £7,500. Either he had got at least £900 (£750 from trade and £125 from rent) in which case the licence value was worth £7,500, or else the value of the licence was only £3,750; or else if he was getting  $3\frac{1}{2}$  per cent. from rent and profit together the value of the licence was £2,500. That was the utmost any trade valuer would give him; no trade valuer in his senses would value at a higher price if that was all Sir William was getting. He took it that he had got £900 a year at least, and therefore, £7,500, was the market value. Under the Kennedy judgment he must be making £900 a year out of his wholesale property, otherwise the licence would not be worth that. Therefore, he had £900 to play with. The hon. Member for Aberdeenshire had stated on the previous night that these values were being compensated on the basis of ten years purchase, and therefore during the period of fifteen years it was possible to pay 5 per cent. on capital, and at the same time write off the whole of the capital value. If he had to write off the whole of that £7,500, then out of the profits he was making he could pay himself  $5\frac{1}{2}$  per cent. on the whole capital— $6\frac{1}{2}$  per cent. on the ordinary shares, 5 per cent. on the preference shares, and 4 per cent. on the debenture stock, and yet get back the whole of the capital at the end of the term. That really depended on the arithmetical ratio which had been established under the Kennedy judgment. Any licence value which could be justified under the Kennedy judgment, must have corresponding to it a return of 10 per cent. annual profits. This meant that the whole of the licence value could be paid off in fifteen years with a return of  $5\frac{1}{2}$  per cent. on the whole capital. That

was one justification which might be fairly made for fixing the time-limit. They had many appeals to actuarial experts on the other side, but what he had to complain of was that the real facts were very rarely given in individual cases, the names of which they had the utmost difficulty in getting. The hon. and learned Member for the Walton division in his first reading speech said he would give them "the names, figures and calculations" of fifteen brewery companies. The hon. and learned Gentleman had supplied the names in such a way that he could only identify one, that of the largest of the number, and he was still waiting for the calculations. He thought the hon. and learned Gentleman had not treated the House quite frankly in this matter. He profoundly distrusted the actuarial calculations of trade experts. He had seen in the Compensation Courts that they always claimed as much as they could get for their clients. They perhaps got half of what they claimed, but unless one was in a position to check their figures, and go into the cases of the individual companies, one could not trust those actuarial experts. In regard to the fifteen brewery companies, the hon. and learned Member for the Walton division had placed their licence values at £22,127,651. But his answer to that was that the hon. and learned Gentleman would not give him an opportunity to go into the individual figures, except in one case, that of Watney, Coombe, Reid & Co. The hon. and learned Member had placed the total values of the licences belonging to this company at £7,728,621; but this must be exaggerated, because the total capitalisation of Watney, Coombe, Reid & Co., in its market valuation, fell to £6,356,916 in 1907. As he could not get the names of the individual companies, he could only say that the hon. and learned Gentleman had put the licence values of all the fifteen breweries at £22,127,651. If that was so, then, under the Kennedy judgment, there must be £2,217,000 of annual profits corresponding. This would allow 5 per cent. on the total licence values, and repay the whole of those values by 1923. If there was not that amount of annual profits, then the licence values were over-estimated and inflated. There must be that amount of annual profit to correspond to the values, under

the Kennedy judgment. He would refer to one other case, that of Messrs. Wethered & Co., who lately wrote a letter to *The Times* saying they were prepared to allow the Government to send any expert to test their figures, and they would place all information at the disposal of the Government expert. All he could say was that Thomas Wethered & Co. seemed to be in a very flourishing condition. He would be very glad indeed if they would allow him to send in his expert, and he accepted their challenge. The company had paid 27 per cent. in 1902, and although their dividends were going down a bit, yet they were still pretty well up. On the average they had paid 20 per cent. from 1902 to 1906. They could pay 4 per cent. interest on debenture stock, 5 per cent. on preference shares, and 10 per cent. on ordinary shares, and yet he found by the 1906 balance sheet that there was left over for depreciation and sinking fund a sum which would replace, by 1923, a capital of £240,000. He found that all the public-houses, freehold and leasehold, belonging to this firm when it was registered in 1899, were valued at not more than £150,620. That included the site and structure, besides many cottages and some land. It was obvious that this firm could make proper provision by 1923. The monopoly value to be taken by the State in 1923 was only a small portion of the licence value. When he said small, he did not think it could be put higher than half of the licence value, which was the capitalisation of all the profits made in the house. Therefore he did not see that it was necessary to write off the whole of the licence value at the end of the time-limit because there would still be profits made out of the sale and manufacture of beer and spirits. The wholesale profits would continue to be made, and there would be capital value corresponding to those. The monopoly value could only be a portion of the licence value, for the licensees and wholesale traders must be able to get their ordinary profits at the expiration of the time-limit, in fact, they would get the profits which they would obtain if there were free trade in drink. Therefore, it would only be necessary to write off, not the whole but half of the licence value, and that would be enough. If

that were so Sir William Dupree would have to write off only £187 10s. a year and he would still be able to get a sum approaching 8 per cent. on the total investment, and if he was prepared to be content with 3½ per cent. he thought he was very well off.

SIR F. BANBURY: Why don't you write that off?

\*MR. CHARLES ROBERTS: That really involved the whole question whether there was to be a time-limit or not. He admitted that the time-limit did mean a loss, but it was a loss which they might fairly ask the trade to prepare for, seeing that it was occasioned by the fact that at last, after long years of waiting, they asked that the value of the monopoly should be reserved to the State which the State had got a right to to-day. Taking the market values as they stood to-day, there was time for the liquor traders to write off these values and still leave themselves reasonable profits. What he had been saying was confirmed by what was said by Mr. Cripps, in 1904. He was the author of a standard book on "Compensation," and he said as Member of Parliament for Stretford in this House—

"If they introduced a twenty years' time-limit, the first effect would be not to diminish the amount to the householders, but to give them an unfair amount of compensation to which they were not entitled to at all."

At present they were being compensated on the basis of ten years' purchase, or a fifteen years' run. If they introduced a twenty-one years' time-limit the first effect would be to give a compensation not on ten years' purchase, but on fifteen years' purchase—that was, not on the basis of a fourteen years' run, but on a twenty-one years' run; thus they would raise the whole standard of compensation by 50 per cent., and *pro tanto* they would have to raise the compensation levy, or else they would lower the rate of reduction in the number of licences. That was a very serious point to be borne in mind. Though this question was not raised by this particular point, it had often been suggested that the reduction period should take place after fourteen years, and that then there should be a close



time. That would have a very pernicious effect from the point of view of temperance reform. That close time, during which there would be entire security to the trader, was, he felt convinced, a time which would mean deterioration of the conduct of the trade, because the greater the security of the trade, the worse had always been its conduct. All the facts were in favour of that. The Leader of the Opposition had, as one of his most cherished illusions, the doctrine that they must give security to the trade so that the conduct of the trade should be satisfactory. The history of the beer-houses, which had absolute security of tenure, when the brewers, if they had chosen, could have introduced the Continental café system, showed that that time was one of growing demoralisation, a time when things went backward in England, and it was not until control was re-established by the Government of 1869 and 1872 that they turned the corner and made progress. He looked with great suspicion and distrust upon this proposal for a seven years close time. So far from it being a shock to public opinion in the country, he had found it exceedingly difficult to defend the length of the time allowed in the Bill. Might he remind the Committee what the precedents were. Take the case of the Church of England Temperance Society, which had a Bill in 1893, backed by the Bishop of Manchester, imposing a five years time-limit. Cardinal Vaughan in 1891 advocated a five years time-limit.

**MR. JAMES HOPE:** Were they to pay a levy all the time for compensation of others?

**\*MR. CHARLES ROBERTS** said they undoubtedly were, except in the case of the Manchester Bill in 1891, under which the proposal was that the total reduction, which was more drastic than that proposed under this Bill, was to take place in the first year. The time-limit originated in the Church of England Temperance Bill, and their representatives before Lord Peel's Licensing Commission, including the Member for North-West Manchester, justified it. The Archbishop of Canterbury's proposal in 1904 for twenty-one years was made only

after proposals for a time-limit of seven and fourteen years had been rejected in the Commons. It was proposed, as a last desperate expedient, to get a compromise of some sort into the Bill. He wanted to lay stress on the fact that this proposal was a far more generous one than had been made in any of our Colonies. There had been terms of fourteen years in South Australia and ten years in Victoria, but those were in commutation of a definite statutory right of renewal, and not in commutation of an indefinite expectation of renewal. In Canada and in the United States they had never given a particle of compensation or a month of time-limit. But his main objection to this extended time-limit was owing to its effect on temperance reform. They were asked: Why not make a concession? His answer was because it involved a postponement of all the most important temperance reforms to which they attached importance. Mr. Gladstone's statement had been quoted that he thought the reduction of public-houses, as a remedy, was an imposture. Both his actions and his speeches showed that he said that because he believed the reduction of licences would be of lesser value unless they wound up the monopoly at the same time, Mr. Gladstone said in 1880—

“At the present, the number of public-houses is enormous. Yes, Sir, but something else ought to be taken into consideration. Why is it that the position of public-houses in this country is lower than it is in any country in Europe? That is the result of the management we have followed, and the number does not in the slightest degree tend to mitigate that statement. I am one of those who see the almost incurable, radical and profound mischief from what is called the publicans' monopoly, and not through any fault of the publican or indeed of anyone. My firm belief is that as long as the monopoly connected with private interests belongs to the trade, you will never have true and efficient police supervision exercised over the public-houses, and without that they must continue to hold the disparaged and unsatisfactory position which they do hold now and have held for many generations.”

They had waited long enough for real temperance reform in England. Everyone admitted the urgent character of the evils. The Leader of the Opposition had told them they were in the presence of the great and ever-present tragedy of drink, and had spoken on several occasions of the immense importance of

*Mr. Charles Roberts.*



grappling with the problem, but no one had done more than the right hon. Gentleman to rivet upon the country and to perpetuate that tragedy of drink which he deplored. It was because in this Amendment they were asked to wait for an additional seven years that he implored the Government not to make any concession in this matter. He wished to register his emphatic protest against the lengthening of the time, and to protest against the excessive and inordinate postponement of the day of deliverance which had been too long already delayed.

\*MR. F. E. SMITH (Liverpool, Walton) said that many parts of the speech of the hon. Gentleman had caused him surprise, but certainly those observations which he made as to the part which the Leader of the Opposition had played in the history of licensing reform in this country caused him the greatest degree of astonishment. As to his statement that his right hon. friend had riveted the drink trade more firmly upon the people of this country than it had ever been riveted before—he (Mr. Smith) asked himself what importance it deserved, and in order to answer that question, he recalled for a moment some further observations and predictions that were indulged in by the hon. Gentleman and his political friends at the time his right hon. friend introduced the Bill which it was said had riveted the trade on the people of the country. It was stated freely by every opponent of the Bill that it would have no effect whatever in the reduction of licensing, and that it would endow the brewing trade. The Prime Minister said—

"I predict that this Bill will have no effect in reducing the number of licences, and it will endow the brewers of the country."

Was there any Member of that Party who would by reasoned argument repeat those statements? None; and he dismissed the hon. Gentleman's observations on the Bill of his right hon. friend with the remark that there had been no Bill which had done more for temperance reform if the view of hon. Gentlemen opposite that reduction of licences promoted sobriety was the true one. As to its truth he expressed no opinion, but if indeed that was the fact and it was worth while causing great proprietary disturbance in order that they might reduce the number of

premises on which alcoholic drink could be obtained, then beyond controversy that Act which the hon. Gentleman stigmatised as having riveted the drink trade upon the people of the country must be pronounced to have been more successful than any of its predecessors. He did not in the least complain of the hon. Gentleman saying that any calculations or any argument which he had addressed to the House had no value at all. It was entirely a matter for the opinion of the Committee or ultimately perhaps of the country, but he thought he had some grievance against the hon. Member when he repeatedly stated that on the First Reading he had promised to give something to the House which he had never given it, and that he had been guilty of a breach of faith. The only method of determining whether or not anything which he had omitted to do constituted a breach of faith, was to consider what he had said on the First Reading, which he should imagine the hon. Gentleman had never done. What he said was—

"This statement that I have deals with fifteen representative companies, and I am quite prepared to give privately to any hon. Member the names of the companies and the figures and calculations which I now offer to the House."

He asked the Committee to note carefully the scope of the undertaking which he gave. It might have been that it would be a more useful method of checking the figures which he laid before the House, if he had been able to make a more extended undertaking. In fact those who had given the figures had authorised him to make the undertaking which he had just read out, and he made no other simply because he was not authorised to make any other. The reason he offered to give the figures and calculations was because he realised the unreasonableness of asking the House to recollect figures which occupied about a column of *Hansard* and which no one could intelligently follow as hurriedly stated in debate. The hon. Gentleman thought it proper to write to the provincial Press, and he (Mr. Smith) only saw the hon. Gentleman's lucubrations by accident. He had totally failed to establish that he had been guilty of a breach of faith. The truth was, of course, that it would have assisted the hon. Member if he had given him access—

which he was in no position to do—to the books of every company he had mentioned. That entitled no opponent to state in the House or out of it that he (Mr. Smith) had been guilty of a breach of faith or that the calculations which he had put forward did not possess the value and the importance which he attributed to them.

\*MR. CHARLES ROBERTS said he thought the hon. Gentleman had not been quite frank with the House. The matter was a small one, but his complaint was that the figures had been left for months with the impression produced upon everybody that he had had the means of checking them, and was utterly unable to make any reply. He was entirely justified in saying that he was not given—it was not the fault of the hon. Member, but of the companies—the kind of figures in this matter which would be required in any compensation Court and which were necessary to form a real judgment on these calculations.

MR. F. E. SMITH said he did not wish to pursue this controversy, but he did not think the Committee would deny a few moments explanation to an hon. Member to answer a charge of being guilty of want of frankness. It could not be shown that he had been guilty of a breach of faith, because he had never promised the figures to the House. He desired to make one or two observations as to cases in which the hon. Member had been offered the fullest opportunity of testing the calculations offered to the Committee. The hon. Member was familiar with the offer made in the Press by one company that any expert appointed by the hon. Member would be allowed to test by actuarial calculations whether it was possible at the end of fourteen or twenty-one years time-limit for them to make good the losses caused by this Bill. A similar offer was made by Mr. Buxton, but no one had accepted the challenge. Personally he should not vote upon the particular proposal that was before the House, for the reason that to his mind the distinction between a fourteen and a twenty-one years time-limit was utterly immaterial. It was only material in the sense that to some extent it qualified the injustice, which remained an injustice, whether

*Mr. F. E. Smith.*

the period decided upon was fourteen or twenty-one years. They fastened upon one principle in dealing with the question of compensation which they said licensed victuallers were entitled to, and that principle was that, if they took away for public purposes what licensed victuallers enjoyed to-day, they should give the market value for it. When he said the market value, he did not mean the freehold value. Nobody ever had contended that they were entitled to the freehold value. The contention that had been successfully put and supported in the Courts was that a licence at the present day, and had for many years past, carried with it an expectation which was so definite in its character, and in the average of cases extended over so protracted a period, that it was of very considerable value indeed. Their position was that if they were going to take that away for public purposes, the measure of their liability was that they should pay that market value which they would have to pay if that value was local and not national in character. All that *Sharpe v. Wakefield* did was to say that the magistrates might take away a licence after a particular consideration of the individual case of an individual house. It never said that they might take away licences wholesale; in fact, the then Lord Chancellor most carefully excluded himself from that construction of his words by saying that they were not to be taken generally, but after an examination of the facts of a particular case.

\*THE DEPUTY-CHAIRMAN: I am afraid the hon. and learned Member is entering into a discussion of the general question. The Amendment deals only with the duration of the time-limit, the Committee having already, on the Amendment to leave out subsection (1), determined the principle of a time-limit.

MR. F. E. SMITH said that when the hon. Member for Marylebone advanced this very argument on the last Amendment the Chairman said it would be in order on this Amendment.

\*THE DEPUTY-CHAIRMAN: I must deal with the matter as it comes before me. The observations of the hon. and

learned Member clearly relate to the general question which has already been decided rather than to the subject matter of the Amendment.

EARL WINTERTON said that when the Chairman was in the Chair he led the Committee to understand that on this Amendment it would be possible to have a general discussion of this point.

\*THE DEPUTY-CHAIRMAN: I was in the House at the time, and there is nothing in my ruling which is inconsistent with what the Chairman said.

MR. F. E. SMITH asked how far any of the calculations hitherto addressed to the Committee had satisfied them that there would be no loss to any of the shareholders whose affairs had been described. He was prepared to accept the three published statements put forward. First of all there was the list of Sir William Dupree, in regard to which the hon. Member opposite had stated that he could not accept the specific statement of fact he had made. If they were going to deal with the statement of a man so highly respected in the commercial world as Sir William Dupree in that summary manner, there would be no difficulty in disposing of any objections. In the cases he had cited, was it contended that ordinary shareholders, under the fourteen years time-limit, would be able to protect themselves, under any circumstances, against loss? Was there anybody who could produce the affairs of any company which would show that in any case the ordinary shareholders would be able to recoup themselves in fourteen years? If that could not be done, then the Amendment must open up the broad question as between fourteen and twenty-one years, and as to what justification there was for interfering with the livelihood of persons who had invested their money in the way they had done under the law. No answer had been given to that—a matter for most serious consideration. Surely it was clear under these circumstances that no case had been made out for interfering by legislation wholly novel in its character with the savings of persons who had been encouraged for generations to make investments

of this kind. While a limit of twenty-one as compared with fourteen years was undoubtedly more indulgent, it bore no relation at all to any compensation based on the principle of market value, and therefore was almost as unacceptable as the original proposal. No allowance of years that did not actuarially correspond to the market value of the licences would meet the legitimate expectations of those who had been encouraged by generations of legislation to make investments in licensed property.

\*MR. RIDSDALE (Brighton) said that in this matter it was necessary to view the trade as a whole and not the instances of particular licensed houses. They could not otherwise gauge accurately what the trade were going to suffer. In this case the position was that during the period of fourteen years the Bill provided that one-third of the trade was to be shut down without compensation. [Some cries of "With compensation."] No, it was without compensation, for the trade as a whole was to compensate part of itself. Out of some 97,000 licensed houses they were going to shut down 32,000, and the trade, as a whole, was not going to be compensated. What position was it in to put up a sinking fund in order to replace the loss that was going to accrue to it at the termination of the time-limit, whatever that time-limit might be? It was very difficult to ascertain exactly what was the sum that they had got to make provision for. They were going to have the monopoly value taken away from them at the end of that time. Nobody in the House and nobody outside the House was agreed exactly as to what this monopoly value was. Then they were going to have local option thrust upon them, so that those houses which would remain after they had compensated one-third of their number, the two-thirds, would be paying the compensation levy during this time, and would then have to face the question of the payment of the monopoly value, and also to face the absolutely indeterminate risk whether the country generally would adopt a scheme of local option and shut down their business altogether. Let them take the case of an ordinary brewery. He had looked

through the list of breweries and they usually divided their capital into, say, one proportion of ordinary stock, one proportion of preference stock, and two proportions of debentures. Let them take a brewery company doing a fair business, earning, say, 5 per cent. on the whole of the capital involved in the business. What was the fair amount it should set aside out of its earnings in order to meet the contingencies imposed by this Bill? What amount could a trader afford to put by? If he put by a quarter of the whole of the money returned by his business he was putting by as much as he could reasonably be expected to do. If he did agree to put by 25 per cent. of the whole of the profits after paying the ordinary working expenses, how would that work out in the case he had just put before the House, where the ordinary capital was one quarter, the preference capital a quarter, and the debenture capital one half of the total capital of the company? The debentures were paying 4 per cent., and the preference shares 5 per cent. He had postulated the concern as earning 5 per cent. on the whole of the capital, and to provide a sinking fund to recoup some of the capital, and to meet some of these emergencies at the end of the time-limit, 25 per cent. of the whole profit was to be set aside. Therefore, an ordinary shareholder in a brewery of that description, who had been earning a dividend of 7 per cent. before this Act came into operation, would, after it had come into operation, have to accept a lower dividend. He was suggesting that 25 per cent. of the whole profit of the company should be set aside in order to make a sinking fund. How did that work out in figures? Twenty-five per cent. of the total profit meant that the ordinary shareholder would have to put by 5 per cent. and reduce his dividend from 7 per cent. to 2 per cent. That was a very severe drop for him; but if he agreed to put it by, what proportion of the capital would be returned in fourteen years at compound interest at 4 per cent., or in twenty-one years at compound interest at 4 per cent? The 5 per cent. on the ordinary shares, or 25 per cent. of the total profits, was equivalent to

1½ per cent. on the whole of the capital in the business, and 1½ per cent. at 4 per cent. compound interest for fourteen years would replace 23 per cent. of the capital, and 1½ per cent. at 4 per cent. compound interest in twenty-one years would replace 40 per cent. He respectfully submitted to the temperance advocates in the House that the risks involved in local option at the end of the period—the claim to the monopoly value on behalf of the State and the compensation levy which the people would have to pay during the fourteen years—were not over-compensated by their being allowed to have 40 per cent. in cash put by, and the freehold property in their brewery remaining. He thought twenty-one years might about give them the opportunity to turn round and put themselves in a fair position. He was perfectly clear that fourteen years did not do so, and that the accumulation of 23 per cent. which would be provided by the sinking fund would be a perfectly inadequate provision to meet the emergencies of the situation. He believed it always had been the practice in the past, when it had been found necessary to do anything for the good of the community against the interests of part of the community, to compensate that part generously. In this particular instance they could afford to be generous, even the most extreme temperance Member. For the time-limit was not a temperance matter in any appreciable degree at all. He agreed that the reduction period was a temperance matter, because there they had to determine in what period a certain number of houses had to be done away with. But they must not confuse the reduction period and the time-limit. The two matters were distinct, and this time-limit was a matter more for financial experts than for temperance reformers. He noticed with regret that a great many of his hon. friends with a keen interest in temperance would press for a short time-limit rather than for temperance reforms. Let them take the case of a brewery earning rather more than the 5 per cent. on the whole of its capital. Take a case, in which a brewery earned 7 per cent. on the whole of its capital. That capital was divided as before into one-fourth ordinary,

*Mr. Ridsdale.*



one-fourth preference, and two quarters debentures, the debentures bearing interest at 4 per cent. and the preference shares 5 per cent. In that case the ordinary shares would be getting 15 per cent. Twenty-five per cent. of its whole profits, if put by, would produce a sinking fund of the amount of  $1\frac{1}{2}$  per cent. on the whole capital of the company. If they applied that to a sinking fund of  $1\frac{1}{2}$  per cent at 4 per cent. compound interest during fourteen years it would recoup 32 per cent. of the capital, a far better return than in the first case. But this  $1\frac{1}{2}$  per cent. on the whole capital must come from the ordinary shareholders. The consent of the ordinary shareholders to provide the sinking fund would be required. What sort of sacrifice had they to make to produce this 32 per cent.? This  $1\frac{1}{2}$  per cent. sinking fund represented 7 per cent. on the ordinary capital, and meant a reduction of the ordinary shareholders' dividend from 15 per cent. to 8 per cent. If they were asked to reduce it they might say: "Oh, no! The directors are appointed by us, the ordinary shareholders, why should we pay this 7 per cent.? If we pay it for the whole of the fourteen years it means 98 per cent. of our capital without added interest and all to replace 32 per cent. of a capital on which the preference holders and debenture holders have a prior claim." They would say: "We will take what we can while we can, and the preference shareholders and the debenture holders can go whistle." That was a situation he did not want to see come about. That was a situation which, if they extended this time-limit, would not come, because they would not allow the incidence of the sinking fund to fall that the ordinary shareholder need not feel it. He suggested that they should put in a period of seven years between the fourteen years reduction period and the period in which the time-limit should become operative. He was sorry that the Amendment of the hon. Member for South Hackney obtained precedence on the Paper, for although it effected a great deal of good there were one or two points it omitted. It did not make any provision for telling the Chancellor of the Exchequer what amount he would come into when the whole monopoly value suddenly devolved upon

him. That it would be a large sum they all believed. What it would be he had no information upon himself, and he very much doubted if anybody had. He thought it would have been far better if the hon. Member's Amendment had incorporated a means by which the Treasury would have felt their way gradually as to what the sum might be. It also rather left the trade to face a sudden situation and an enormous claim upon them without themselves being able to adjust the way in which they were to meet the burden imposed. But even if they could not get a graduated scheme he trusted that the general principle of the Amendment would be accepted by the Government and that the trade, after paying compensation levy for fourteen years and being on the rack for that time, might have a certain time in which to say their prayers.

EARL WINTERTON said the hon. Member for Brighton did well to call the attention of his friends who represented the temperance interest to the fact that this Amendment raised hard and dry financial facts, and that it was not possible to discuss it from the point of view of the hon. Member for Lincoln. The hon. Member for Lincoln, and the Prime Minister, speaking on another Amendment, seemed to assume that there was some justification for the proposal of the Government in the precedents to be found in other countries. It had been stated that in America licences had been taken away without notice or compensation. He was anxious to challenge hon. and right hon. Gentlemen opposite on that particular point. He ventured to lay down that there had never been in any country put into legislative operation any system such as that suggested by the present subsection. It was quite impossible under any circumstances to compare the state of things in the United States of America with the situation which had arisen here. In the first place, as hon. Members knew, in the United States nothing like the same value attached to licences as in this country. Neither was there anything like the same expectation of continuity. What had been the result where licences had been taken away? In Colorado, for instance, the people who sold liquor



before with a licence now sold it without a licence. [Cries of dissent.] If hon. Members would look into the United States Federal Government statistics they would find that there was not a State in the Union where there had not been as much liquor sold without as with licences. He challenged any hon. Member to show any instance in European countries of any proposals being passed at all equal to the proposals in that Bill.

\*MR. LEIF JONES (Westmoreland, Appleby): Norway and Sweden are European countries.

EARL WINTERTON: Neither had any connection whatever with this proposal. The liquor traffic there was on an entirely different basis. The hon. Gentleman could not have chosen a worse example. Norway and Sweden were the most drunken countries in Europe.

\*MR. LEIF JONES: They were the most drunken countries in Europe, but they got legislation somewhat on the lines of the Government proposals and they are now the most sober countries in Europe.

EARL WINTERTON: The hon. Gentleman surely did not want them to believe that what the Government was proposing was the Gothenburg system. He regretted that in the heat of the moment he used what might seem an opprobrious term in regard to Norway and Sweden, but he still said that there was a regrettable amount of drunkenness in those countries. Neither of those countries could be taken as a good example of any system of temperance. The Government had not put forward any reason for proposing the adoption of the system in this country on the ground of popular sanction. The principle suggested in the subsection would never be tolerated by the people of this country. If the country had known at the last election that this was to be the great legislative effort of the present Government when they got into office, he did not believe that the constituencies would have endorsed it. [An Hon. Member said it was announced.] In some isolated cases they might have done so. No doubt the people were led away by

*Earl Winterton.*

vague talk, but they were not aware of the wholesale drastic financial attacks on the trade made by this Bill. Before the Committee came to a decision on this subsection the Government ought to give some justification for adopting the altogether novel system which they proposed. As his right hon. friend the Leader of the Opposition said yesterday, the objection of the Opposition was based, not only on the number of years, but on the whole system which they believed to be unjust. While he would vote against the fourteen years time-limit proposed by the Government he could not support the proposal of the hon. Member for South Hackney.

\*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) supported the Amendment. Every one of the speeches had been an attack on the principle of the time-limit. It seemed to him that there were three schools of opinion on this subject in the House. There was the school represented by the Opposition; the school represented by his hon. friend who spoke strongly in favour of the fourteen years limit; and the school, with which he desired to associate himself, which believed that while a fourteen years limit would be totally inequitable, a twenty-one years limit would be fair and equitable. He had an Amendment on the Paper which was practically identical with that before the Committee. The Amendment was not his own, but was moved in another place in 1904 by the Archbishop of Canterbury to the Bill of that year. The Amendment was supported then by practically the whole bench of Bishops, by the whole of the Liberal Party in the House of Lords, and by a fair sprinkling of Unionist Peers. His Amendment would not disturb in any way the period for the reduction of superfluous houses; and, therefore, all those who desired to see the reduction of these superfluous houses within the prescribed time would be able to realise that desire if his Amendment were adopted. It added to the fourteen years reduction period seven years during which a lease should be granted to the surviving houses, and during which period these houses should be exempted from any charge for monopoly value. He thought that

the more closely a proposal like his was looked into, the more the trade would see what an advantageous proposal it was in their interests. It might be assumed that before the end of the fourteen years all the redundant houses would be extinguished, and that all those who had survived "the reign of terror" would enjoy an additional profit to that which had previously attached to their houses. He believed that it had been estimated that from 40 to 45 per cent. of the profits of the houses which would be extinguished would find its way into the tills of the surviving houses. He would point out that the surviving houses would be able to conduct their business on a better administrative basis. This proposal, therefore, offered a really fair chance to the trade to readjust its arrangements to the circumstances during the protracted reduction period; and enable them to lay by a sufficient sum of money to meet the necessary liabilities at the end of twenty-one years. Undoubtedly fourteen years would be an extremely short period for accomplishing the double object of finding compensation for the houses extinguished, and providing an insurance against the liability of those houses which survived that process to be extinguished at the expiration of the period. Those two operations being combined during that short period of fourteen years, so far as he could gather from the figures he had obtained, the trade would be put into a very precarious position. Let him give an instance which showed what the difference would be between fourteen years and twenty-one years. He knew of a brewery company which held twenty-one licences. The capital value of these licences, apart from buildings, was £550,000. The net annual profits amounted to £46,160. Allowing £5 a week for remuneration of each licence-holder would give £4,460. Then there would be £40,700 available for interest and sinking fund. Fourteen annual payments to receive £100 at the end of the period would amount to £5 3s. 9d., whereas, if the calculation were extended over a period of twenty-one years it would be £3 7s. 9d. Therefore, it would be seen that the sinking fund required in fourteen years would be £31,280, leaving only

£9,420 available for dividend, which came out at 1½ per cent.; whilst the sinking fund over a period of twenty-one years would be £18,630, leaving for dividend £22,070, which would be equal to 4 per cent. fully. He would give another instance of how severe the treatment would be at the end of the fourteen years' limit. In 1904 the Central Public House Trust Association bought the "Bell Inn" at Kennington. They gave for it £2,200, a perfectly good business transaction as things then stood. The licence value was estimated at £1,850. That was the sum to be wiped out in the course of fourteen years; to do it, they must put aside yearly out of net profits a sum of £125. Now, calculating their net profits at £180, the Association was left with the small sum of £55 for dividend purposes, which on the present share capital would only amount to 1 per cent. If the period was extended to twenty-one years, the Association would be able to pay interest of 4 per cent. to their shareholders. It was impossible to go closely into all the financial intricacies of this very difficult problem; but he was satisfied from all the information he had been able to gather on the question, that an extension of the period from fourteen years to twenty-one years would remove all ground for the allegations of harsh treatment brought against the time-limit system by hon. Gentlemen opposite. Let him make one more point. When dealing with cases like this it had been the immemorial practice of the State to treat a trade affected by any legislative reform in a generous manner. He did not intend to quibble about whether a licence was for a year or not. By practice it had been always a good deal more. Whilst they on that side of the House were anxious to resume to the State the full control of these licences they desired to do it in a just and fair manner. He would give an instance of what he meant. Some years ago the London County Council undertook, under the Housing Act, the Boundary Street clearance scheme at a cost to the ratepayers, not the owners of property, of £270,000, including compensation to all the trade interests in the area dealt with. What he asked for was that the Government should mete out similar justice to the trade affected by the proposals of this Bill. He thought

it was the general opinion that if ever this Bill became an Act of Parliament it must contain an extended time-limit period beyond fourteen years. He wanted to see that done in this House. He did not want to see any opportunity given in another place to reject this measure, and certainly he did not want to see an opportunity given to hon. Members opposite of saying that the people of the country had to look to the other House as the custodian of equity and justice. While it might be regarded as a tactical point for the Government to make this concession at a later stage of the Bill, he hoped they would make it now. He knew that he voiced the opinion of many hon. Members when he expressed the sincere hope that the Government and his right hon. friend the Prime Minister would give a careful and earnest consideration to the proposal now before the House, especially when they realised that if this measure was to become an Act of Parliament and a true temperance reform they must treat the trade concerned with greater justice.

MR. BARNES (Glasgow, Blackfriars) said he wished to express the view of his colleagues with regard to this particular Amendment; but before doing so he desired to say a word with reference to the speech of the noble Lord, the Member for the Horsham division of Sussex, who had said that Norway and Sweden were the most drunken countries in Europe. He did not know whether anybody else had used the expression that they were the most drunken countries in the world.

EARL WINTERTON: I expressly said that they were the two most drunken nations in Europe, and that statistics proved it.

MR. BARNES said he had had the opportunity of studying the position on the spot in Norway and Sweden. He knew that those countries had adopted legislation not of the character of the measure before the House, but legislation suited to their own conditions and habits, as they were entitled to do. He knew, as a matter of fact, and he had gone into the figures very carefully, that though it was quite true the consumption of alcoholic liquor was still very high in

these countries, so far as the liquors coming under the operation of their temperance legislation were concerned, there had been a diminution of the consumption of just about one-half.

EARL WINTERTON said that even now the latest statistics showed that in Christiania the arrests for drunkenness per 1,000 of the population were forty-three, in London ten, in Liverpool, eleven, in Manchester, thirteen, and in Glasgow, eighteen.

MR. BARNES said he had it in his mind that these figures had absolutely no bearing upon the question before the Committee nor on any question of temperance legislation at all. They might have something to do with the police regulations in Christiania and other cities. However, he would not say anything more on that point. What he wanted to state on behalf of his colleagues of the Labour Party was that they felt very strongly on this question of the time-limit, and that they hoped whatever fate was to befall this Bill, it would not be weakened as regarded the time-limit. The Labour Party, having regard to all the notice which had been given to the trade in various temperance legislation proposals for a generation past, and having regard to the fact that time-limits of a much smaller number of years than fourteen had been proposed even from the benches above the gangway—from five years upwards—thought that fourteen years was not only a just but a generous proposal. He did not want to go into the percentages which had been quoted by various hon. Members, but he thought that the House ought to back up the Government in limiting the period to fourteen years and leave it to the other place to deal with it as they thought proper.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): The Committee discussed and decided yesterday the question whether a time-limit—not a time-limit in terms—should form a part of the scheme of this Bill, and, by an overwhelming majority, they answered the question in the affirmative. We are to-day on a different point—a point not of principle, but rather of machinery,

*Sir J. Dickson-Poynder.*

namely, assuming that there is to be a time-limit, what the duration of the limit ought in fairness and equity to be. Now it is quite obvious from the course the debate has taken that on that point the Committee is divided into two entirely hostile and irreconcilable camps. There are those who voted yesterday against any time-limit at all, on the ground that, given the scheme of this Bill, it would be impossible for any time-limit to be reconciled by its machinery with the ordinary dictates of justice and fair play. That is the position of the Leader of the Opposition and practically of all those who support him. We have had to-day declarations from the other side of the House—those of the Member for Liverpool and the noble Lord—which are perfectly consistent with the position they took up yesterday. On the other hand, there are to be found the great majority of the representatives in Parliament who are in favour of a time-limit and the resumption by the State of the property which it ought to have, but there is a difference of opinion as to what the precise duration of the time-limit should be. I ventured when I introduced this Bill at the end of last February to lay down on behalf of the Government what appeared to us to be the governing principle in this matter. I said—

“Your time-limit should be as long as, and not longer than, the time that shall suffice for a prudent trader who has carried on, and is carrying on, his business with due regard to its special character and peculiar risks, to make adequate provision against the disappearance of that part of his property which is to be attributed to the monopoly value.”

That is I think a perfectly sound principle which the hon. Member has not attempted to controvert. All he has said is that twenty-one years would be more reasonable than fourteen. Now, Sir, I have listened to these debates and have been reading during the last six months vast quantities of literature directed to the point that the term of fourteen years proposed by the Government is an inadequate term. The Government have always preserved a perfectly open mind upon this, which is not a matter of principle, but of detail. I have given the most impartial attention to the arguments, and am bound to say, speaking with full responsibility, that nothing that has been said or put forward has

satisfied me that the term of fourteen years is otherwise than a just and a fair one. Let me point out, in parenthesis, that there is no necessary, and indeed no logical connection between the term of fourteen years which the House has already adopted in the first clause as the term during which the compulsory and statutory reduction is to take place, and the term, whatever it may be, which is selected for what we call the time-limit, meaning thereby the period at the end of which the State will resume the monopoly value of all licences, there is no necessary connection between the two things. But after careful examination, we came to the conclusion that the trader who had conducted, and continued to conduct, his business on the lines I have laid down might and ought to be able to make provision for the redemption of that part, and that part only, of his property which is the monopoly value within fourteen, or rather fifteen years from the introduction of the Bill. As I have said, I have not only listened to what has been said here every day, but I have read a great deal of what has been said outside. I find it comes down to particular cases like that of the “Coach and Horses,” which, I think, foundered long ago in an argumentative morass [OPPOSITION cries of “Oh, no”]—well, they have been flogged into activity again during the last two days, but I think they still present a very sorry spectacle. After all, the “Coach and Horses,” so far as I know anything of the case, was one of the clearest cases, if ever there was one, in which a man entered into a speculation with his eyes open. Everybody knew, in the spring or summer of 1907, when the contract was entered into for the purchase of the “Coach and Horses,” not only from the result of the general election more than a year before, but from repeated declarations by responsible Ministers, that legislation on the lines of this Bill was impending. It is, therefore, ridiculous to say that the purchaser, a shrewd man of business—I gather from his observations a very shrewd man of business—has any ground of complaint whatever if Parliament chooses, in the public interest, to legislate on the lines of the present Bill. I am not going to detain the House by



entering into specific cases like that of the "Coach and Horses." But I will just mention one or two points which seem to me not to have had sufficient attention or weight given to them in the debate. The allegation that a trader carrying on his business on the lines and in the spirit indicated in the passage I have referred to could not make good the monopoly value within the term prescribed by the Bill seems to rest upon two assumptions, neither of which is well founded. The first assumption is, I find this perpetually in all the literature circulated by the trade, that the monopoly value of licensed premises represents something—I see the proportions differently stated at different times and places, but something which varies from two-thirds to three-fourths, and even nine-tenths, of the total value of the premises. I do not believe that there is the least foundation for the assumption. I think that it is a gross exaggeration. I will give the Committee the summarised totals of the dealings of the Board of Inland Revenue with the houses that in fact have been suppressed under the right hon. Gentleman's legislation in 1905 and 1906. There are 500 houses, and the total Schedule A value of these houses with their licence is £13,952. The total present Schedule A value without a licence is £9,540. In other words, the value of the houses without a licence as compared with their value with a licence is 68 per cent. of the total. If those cases are anything like typical, it shows how gross is the assumption that a licence adds three or four times to the value of the premises. I agree that there is some criticism to be made on these figures if you are to take them as being typical. In the first place, some of those houses were of a lower class. There is the ante-1869 beer-house whose vitality some hon. Gentlemen are so anxious to preserve, and it is true that in some of the houses, owing to density of population and other causes, the monopoly value is less than in other parts of the community. But when you have made the fullest allowance, there is still an enormous margin, which goes to disprove the suggestion that the monopoly value created by the possession of a licence is anything like the figure which the trade and others

constantly represent it to be. Another point which is equally important and upon which not sufficient stress has been laid in the course of the debates is that owing to the state of the law, well known now certainly for the last twenty years, provided against by insurance and otherwise, and taken into account by all persons engaged in this industry who survey the situation around them, it has been possible to build up, and there has been built up, enormous reserve funds to preserve them against this contingency. The Under-Secretary for the Home Department, in a speech on the First Reading, made a careful analysis and gave figures to show that these funds, even leaving out of account Guinness', amounted to £11,000,000 sterling, and if the other members of the trade pursue the course which was so widely and prudently taken, and which they might themselves have taken had they had the same insight into the circumstances of the case, I do not believe that there will be the least practical difficulty on an average in having sufficient funds provided for a contingency in respect of the extinction of the monopoly value at the end of the time-limit. Taking all these things into account, I must say that speaking for myself and for my colleagues, we do not think that the term of fourteen years, or rather fifteen years, in the Bill can be said to be in any way unjust. We certainly cannot accept the Amendment which has been brought forward now by the hon. Member for Hackney. If you continue the compensation levy for seven years beyond the fourteen years, you prevent the possibility during that time of the free exercise by the justices of their discretion and you delay the whole settlement of this question for twenty-one years. No; if there is to be anything in the nature of a compromise on this point it must not proceed on these lines. I will state exactly the conditions of what I conceive the problem to be. By the first clause of the Bill a compulsory statutory reduction must take place within the next fourteen years. During these fourteen years compensation will continue to be levied from the survivors among the licence-holders. At the end of fourteen years it is our intention that the compensation levy should cease and that the magistrates should resume the control

*Mr. Asquith.*



which they used to possess, and which they ought to possess—a free and unrestricted control over the grant of licences in their district. In addition to that we have by the provision which we propose to insert in the second subsection of the clause reserved to the inhabitants of the locality by an adequate and not excessive majority the power of dealing with the question as far as their own community is concerned. Given those conditions, which the Government regard as fundamental, I am prepared to entertain the suggestion that for a short term of years following the expiration of fourteen years when an old licence is re-granted it should be re-granted without attaching to the re-grant as a condition the surrender of its monopoly value—in other words, to postpone the resumption by the State of the monopoly value of the surviving houses until the expiration of that additional term. That is in accordance with the principle of the Bill, because at the expiration of fourteen years it gives to the justices and to the community the absolute power over the licences which are to be granted or are not to be granted in the locality, but, on the other hand, it may have the effect in exceptional cases of hardship, of postponing the date at which the State would resume the actual possession, and it may have the effect of softening the operation and preventing any possibility—I will not say of unjust, but of inconsiderate treatment. I am not proposing to introduce any Amendment at this stage, but I throw out that suggestion to the House for consideration between now and the Report Stage of the Bill. It will not placate, and it is not intended to placate the opposition of those who are opposed to the principle of this Bill. Those who are opposing the measure would not take twenty-one years as the time-limit; neither would they take a forty years time-limit nor any other time-limit. It is with no desire or expectation of what I may call buying off the hostility of the root and branch opponents of the Bill that I throw out the suggestion. It is made with the object of satisfying even the most meticulous—no, I will not say that, but the most fastidious scruples of any one who feels that injustice in any particular case may be done to individuals. It is made in order to meet these scruples, to satisfy every

reasonable man who accepts the principle of a State-created monopoly to which the State is entitled and which it is bound to resume. It is to satisfy the scruples of those who hold the view that any possible case of hardship or grievance can be made out, without sacrificing in the least degree the fundamental principle of the Bill, which is that at the end of fourteen years every licence should be held at the uncontrolled and unfettered discretion of those who represent the community. It might be possible by this extension of date at which the monopoly value is in practice to be resumed, to cover all the possible cases of hardship which some hon. Members feel as being likely to occur. The suggestion is made in the interests of the Bill and of those who support its principle. But on the main question of the maintenance of fourteen years, which is the governing principle of the Bill, the Government is absolutely determined to adhere to the lines they have already followed and to ask the House to support them in rejecting the Amendment.

MR. A. J. BALFOUR (City of London): The right hon. Gentleman is correct when he says that we on this side of the House do not think it would be satisfying us to substitute twenty-one years for fourteen years, and even had he accepted the Amendment of the hon. Member he would not have placated those who oppose this Bill, among other reasons, because it is an unjust interference with legitimate rights. I do not now deal with that part of the right hon. Gentleman's argument in which he speaks of the immense reserve funds of the brewers as a sufficient ground for despoiling other parties of their property. I have no acquaintance with the management of these concerns, but I understand that these reserve funds were not accumulated in order to deal with predatory projects of legislation. They were accumulated as reserve funds to deal with the inevitable ups and downs incident to every species of trading; and the truth of what I have said may be found in the fact that Guinness has a large fund, though no licences. There is another curious fact to mention. I believe that a large amount of these reserve funds is invested in public-house property. Now if a reserve fund had been an accumulation to meet attacks on that

kind of property it would not have been invested in that property. If I am right in that fact, it proves that the trade at all events never contemplated the species of legislation which the Government have now taken under their control or that it would be seriously pressed. I turn from the right hon. Gentleman's criticism on the management by brewers of their business to the actual proposal he has made. I am not quite sure that I apprehend the right hon. Gentleman's suggestion, but I think his suggestion was this—that for fourteen years existing licence-holders should pay compensation out of their own pockets to those of their number who are going to be dispossessed during the fourteen years to come, and that then these licence-holders who have paid compensation for fourteen years are to be handed over to the discretion of the justices in the first place, and of the parish electors in the second place; and that, after that again, every licence-holder would continue in possession of the goodwill, of the improvements he had made in his house, and of the expectations of his licence, entirely at the discretion of not merely the justices acting upon the old principle, but of justices animated by the new principles with which the right hon. Gentleman is endeavouring to inoculate them, and at the unfettered discretion of a bare majority—or was it two-thirds—of the electors in each parish. I think that it is probably an extremely bad plan from the temperance point of view. I think you are going to ask a trade to be carried on under conditions under which no trade can be carried on, and the result will be that you will create injury to the cause you profess to serve. Those who do not want this accommodation provided the public, those who want all drinking suppressed are no doubt quite right in doing what they can to increase the abuses. But I hold, and I believe the majority of the House hold, I am certain the majority of the country hold, that you not only must, but ought to give legitimate opportunities to the poor public as you must continue to give them to the rich public, of obtaining alcohol. If you are going to give those facilities—if you admit the necessity—in Heaven's name see that the trade by which that necessity is to be met is carried on under conditions which will give you men of credit and character to conduct it, and

*Mr. A. J. Balfour.*

will enable this consumption of alcohol to be carried on under conditions which will not produce vice and excess, and not lead to the intolerable evils under which we groan, but which will, so far as legislation can, enable the public to be served in a manner best calculated to produce moderation in the use of alcohol and diminish crimes which so often follow upon excessive indulgence. Is it not clear that the new plan of the Government is not temperance reform, whatever else it is? Is it a concession to the justices? It is no concession to the justices. Under the old system the magistrates abolished some perfectly insignificant number of public-houses, because they felt it was most abominable treatment for men investing their money to be deprived without compensation. You are going to put magistrates in the old position—are the magistrates in fourteen years going to exercise their discretion in the old manner? If they do, I think it will introduce a great deal of that insecurity that existed before 1904, and all the evils consequent upon insecurity in the management. You are going back to that state of things—an utterly bad and rotten state of things—and to argument its evils by supplementing the action of the magistrates by the action of the parishes. I think it is absurd to say that a plan of that kind is temperance reform. Is it not equally absurd to say that it makes this Bill a juster Bill than at present? I think that to ask people for fourteen or fifteen years to pay compensation for the abolition of licences and then to throw the remaining licences to the wolves—

AN HON. MEMBER: Who are the wolves?

MR. A. J. BALFOUR: The temperance faddists. You talk of the evils of the intervention of the publican in politics, local and Imperial; just conceive what the intervention of the publican must be after the fourteen or fifteen years. He knows that at any moment a hostile majority in the parish may deprive him of his whole means of livelihood. Why, his life will be spent in canvassing, and in doing all that his ingenuity and his powers of management of men may enable him to do to collect a sufficient party in his parish to see that his property will not be interfered with.

And you call that legitimate security—you call that treating these men in a spirit which is likely to make them good servants of the public and to prevent them interfering unduly in their own personal interests with the management of public affairs. It is characteristic of the method in which we are asked to discuss the Bill that the Government have given us no notice of the method in which they are going to deal with this difficulty. They have adopted neither a modification nor an extension of the old scheme; but a new scheme carrying with it large possibilities which we have only had time to think of while the right hon. Gentleman was speaking. I do not contradict the Prime Minister when he says it is consistent with the Bill, but I do say it is not a modification of the Bill. It is a new scheme which requires much more study than the House can give to it. The Government have known it for months past. They have deliberately compelled us to discuss this Bill under the threat of the closure, and, knowing that we could not protest, they have deliberately abstained from giving us either the smallest notice of what their new plans are or the slightest opportunity of discussing them. Of all the travesties of Parliamentary procedure surely the greatest is this—that exactly sixty minutes before the guillotine falls upon this subsection we should be asked to decide upon two enormous questions neither of which the House has ever had the opportunity of discussing on any occasion; one, the entirely new plan for dealing with the fifteen years period and the other the question of the off-licences. Could there be anything more preposterous, and would any Government in the world that had not brand hand and foot the Assembly with which they were dealing treat that Assembly in that way? Whether I consider the substance of the right hon. Gentleman's plan, or the form in which he has proposed it, or the general manner in which he has treated this House, his action seems to me to be equally open to our condemnation and that condemnation we shall give—in the only manner permitted by the rules under which we are working—in the lobby.

\*MR. LEIF JONES said he had listened with grave concern and anxiety to the most important announcement

which the Prime Minister had made to the Committee that afternoon. The right hon. Gentleman showed in the course of his speech that the fourteen years time limit was ample for the purpose for which it was intended. He rightly said that none of the opponents of the Bill had been able to prove that injustice would be done to the trade by the fourteen years notice. He (Mr. Leif Jones) thought that never had a proposal emerged more unscathed from a long discussion. There had been plenty of general statements about hardship, but when details were asked for they were not forthcoming. Therefore he regretted that the Prime Minister had felt it necessary to offer more than the too generous terms which were offered in this clause. He rightly said it would not placate the Opposition, and the tone of the speech of the Leader of the Opposition was sufficient evidence that his foresight in that matter was absolutely accurate. The real issue was between those who wished the nation to control the trade and those who were not unwilling that the trade should control the nation. No concession that the Prime Minister could make would satisfy the grasping and greedy demand that the trade should be allowed to carry on its demoralising business undisturbed. The concession announced by the Prime Minister was a very large giving away of what he considered the nation's right to put reasonable taxation, taxation equivalent to the monopoly conferred, upon licences. The interesting speech they had had from the hon. Member for Huddersfield showed how little taxation was placed on licences in this country as compared with other countries, and yet to-day when the Prime Minister indicated a further period of seven years during which the nation should forego its right to extra taxation, there were renewed cries of dissatisfaction. If the Prime Minister's concession meant that after the expiration of the fourteen years limit the publicans were not to pay monopoly value for a further seven years, that would be a serious giving up of what he considered to be the nation's right to put on the licences taxation equivalent to the monopoly value conferred on them. He noticed that the Chancellor of the Exchequer was not present when the Prime Minister made the announcement, but he would be very curious to know, if with ease he had been

induced to consent to so liberal a foregoing of money which he might reasonably have expected to have at his disposal. Let them look at the position the trade would be in at the end of the reduction period. As he understood it, at the end of that period there would be no compensation levy, and they would be free from having to pay any portion of the monopoly value during the seven years suggested, so that they would be in a far better position than at the present time.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall): And they will receive no compensation either.

\*MR. LEIF JONES said that at any rate there was to be no new burden for seven years. No doubt they would be exposed to certain risks to which they were not exposed at the present time, as the magisterial discretion was to be restored and the temperance provisions of the Bill to come into operation. It was to those temperance provisions that many hon. Members on that side of the House attached the greatest importance. He himself had not ventured into the financial discussion between experts on one side or the other; that was to him far and away the least important and interesting part of the question. It was for the Chancellor of the Exchequer and those responsible for the finances of the nation to see that taxation was justly levied, and from all he could gather the trade was not justly taxed at the present time. But what he was most concerned about was to see that they should not have to wait longer than the fourteen years for the temperance reforms that were in the Bill. Very many important reforms were to come into operation at the end of fourteen years—magisterial discretion and the local option clauses, the latter of which had been described by the right hon. Gentleman, the Leader of the Opposition, as throwing the publicans to the wolves, the wolves being the voters in the village. He thought the right hon. Gentleman would live to repent that phrase. Even right hon. Gentlemen opposite sometimes repented. At any rate, they ought to. He regretted the concession which the Prime Minister had felt himself justified in making. He failed to find in the arguments which had been

advanced anything proving that the time-limit proposed was too short, and he was there to say, on behalf of the temperance people with whom he worked, that, whatever financial arrangements might be made by His Majesty's Government, they would not give thanks for a Bill which postponed the temperance reforms which they all so much desired for a longer period than fourteen years. So rapid had been the education of the people during the discussion of this measure that he said, if owing to the operations of another House, the Government found themselves unable to carry their Bill with the time-limit of fourteen years, temperance reformers would sooner drop the Bill altogether and wait the issue between the nation and that most dangerous trade—for he was confident that the nation would not wait much longer for a genuine settlement of this question.

MR. BARNARD (Kidderminster) said he took a totally different view from the last speaker and welcomed the announcement made by the Prime Minister. But he would like to ask if he understood the right hon. Gentleman rightly to foreshadow that on some future occasion the Government would give the seven years referred to and also give a preference to the sitting tenant in connection with having the first opportunity of continuing in his tenancy. He was, as the House knew, opposed to the Bill, but he had come there prepared to vote for any Amendment which would improve it, and from his point of view it seemed to him the offer of the Prime Minister was far and away better for the trade than what was offered by the Amendment of the hon. Member for Hackney. What did it amount to? It came to this, that after the end of the fourteen years—if ever it did come to an end—the tenant would be in the position of continuing to occupy the house for another seven years without having to pay monopoly value, for that period he would be relieved from the compensation charge. Surely that was far and away better than twenty-one years under existing conditions. He would like to press his question as to preference being given to the sitting tenant. They had been told in many speeches that there was no desire to interfere with the existing tenant, and therefore he would like to see words inserted giving that tenant a

Mr. Leif Jones.



reasonable priority. As the existing tenant must be a dying person it would not be creating a new vested interest to do this.

LORD R. CECIL (Marylebone, E.) said it was very difficult to discuss the proposal of the Prime Minister, because they really did not yet know what it amounted to. The last speaker had interpreted it in quite a different sense from the hon. Member for the Appleby Division, who evidently thought they were going to get local option at the end of fourteen years. He did not see how that could be compatible with the proposal made by the Prime Minister, and if it were, then he thought the hon. Member for Kidderminster would hesitate before welcoming it as an improvement on the Amendment of the hon. Member for Hackney. The language of the right hon. Gentleman was perhaps, necessarily vague, and the great probability was, as the Prime Minister knew very well, that they would never have an opportunity of discussing the proposal when it was put on the Paper in black and white. So that they had to make up their minds now whether that proposal was one which at all met the objections they had hitherto felt to the Bill. Speaking for himself, he might say at once that it did not. The hon. Member for the Appleby division in picturesque language had said that the great issue was whether the trade should master the country or the country master the trade. He ventured to say that had nothing at all to do with the question. [Mr. CLOUGH, Yorkshire, W.R., Skipton: Hear hear.] He did not expect to be able to convince the hon. Member for Skipton and had never succeeded, but, as he had said, that was not the real point at issue. The Prime Minister said the question at issue was, "Are you or are you not in favour of the State resuming its monopoly?" He was in favour of it. It would be desirable, he thought, to get rid of anything which was in the nature of a State-aided trade—a trade which

depended for part of its profits upon a special privilege given to it by the State. He had always said that. But he said that if they were to do that they must pay for it. That was the whole point. It was on this point he differed from the hon. Member for the Appleby Division. The hon. Member seemed to think he was entitled to get this advantage for the State without paying for it. He differed from him. He did not care a straw about the elaborate argument as to whether the property was freehold or not; it was a thing which had a money value in the open market, and if they were going to take it away from the men who now had it they must pay for it.

\*THE CHAIRMAN: The noble Lord is now going back to yesterday's discussion.

LORD R. CECIL said he had not intended to do so; he had merely made that observation in passing. The Prime Minister had said this value had been greatly exaggerated. He failed to see how that affected the point whether the Government's proposal was fair, and whether the State was going to pay for the advantage which it sought to get. He could not understand the position of those who claimed to be right, and proposed to carry their morality into effect at the expense of other people. When a public improvement was executed, the people whose property was taken were not called upon to pay for it; when they cleared away unhealthy areas they paid the full value of the property taken for the purpose; but, in regard to the licences which would be taken, the Prime Minister admitted to the full that a large proportion of the cost of that public improvement would be paid, not by the State, but by the individuals from whom the licences were taken. He certainly could not understand the justice of that, and he should vote for the Amendment not because it was satisfactory but because it was at any rate an improvement on the proposal of the Government.



MR. WYNDHAM (Dover) asked the Prime Minister if he understood the change which he had made in a complicated scheme to be that, if an existing licence were renewed at the end of the fourteen or fifteen years time-limit, the holder was not to pay more for that licence than he paid on the present scale—that the scale on which he paid was not to be increased in respect of the monopoly value during the next seven years.

MR. ASQUITH: This is not a question of taxation at all. It is a question of the conditions under which justices renew licences. Under the Act of 1904 justices might attach as a condition to the grant of a new licence the payment of the whole monopoly value. Under the Bill, as it stands, that would apply to all other licences as well. The suggestion now is that in regard to licences that existed prior to the passing of the Act, that particular condition shall not be put into force for the time being.

MR. WYNDHAM said he thought he did understand the point. The magistrates need not renew the licence; and, if the Committee adopted the Amendment down in the name of the First Commissioner of Works, it could also be taken away by a two-thirds majority of the parish. There were two possibilities by which the existing licence holder might not receive the concession which the Prime Minister offered. He need hardly say that that concession did not modify his opinion of the injustice of the scheme, whilst it did—and he invited the right hon. Gentleman's attention to the point—increase the arbitrary incidence of that injustice. They would, or might have, an existing licence holder in one parish who got a renewal, who had not to pay compensation, and who had not to pay any more as a condition of the magistrates granting it, whilst in the next parish, perhaps a hundred yards away, another licence holder might lose

the whole of his property. They would thus create a more glaring injustice as between those two men.

SIR THOMAS WHITTAKER (Yorkshire, W.R., Spen Valley) said that, when they were discussing the legal right and power of the nation to deal with the licences, he felt they must insist upon that right very stringently and very strictly. He felt they must establish that principle; but when it came to settling the length of the time limit, it was a matter of expediency and arrangement, and he had always been amongst those—perhaps right hon. and hon. Gentlemen opposite would not think it amounted to much—who were anxious and willing to deal with the trade, as he considered, generously. They might not consider it generous, but it had been his view. They had to recognise the position which had grown up, but let them have the principle established, and although he thought the fourteen years ample, he was not going to quarrel with the Prime Minister for making an addition to it. After all, they wanted to establish a great principle and a great policy, and the sooner they could do that the better; but he would give a few years extra in order that it might be done with less friction and less inconvenience to the nation. He wanted to get it and he would make it more difficult for those who would otherwise refuse it to do so. Therefore, whilst he was one of those who thought fourteen years really ample, he was not going to vote against seven years extension of the surrender of the monopoly value. The right hon. Gentleman opposite had said that it did not amount to much and suggested two possibilities by which a man might still lose his licence. He was always interested to hear the views of right hon. Gentlemen opposite on questions of temperance reform. They spoke on them from opposite points of view. Sometimes they told them that local veto would be no use because the vast majority of the people wanted the public-houses. The Leader of the

Opposition had told them that that afternoon. If that was so, why did they object to local veto?

MR. A. J. BALFOUR said that if the hon. Member referred to his argument it was that local veto, whether it did or did not abolish public houses, did produce an insecurity which was bad in itself.

SIR THOMAS WHITTAKER said he was referring to the remark of the right hon. Gentleman that the majority of the people wanted the licences. The right hon. Gentleman the Member for Dover, however, would prefer that they should thrust licences upon a district against the wish of two-thirds of the people of the locality. Then, with regard to the discretion of the justices, he thought they might assume that, after the great reduction had been effected, there would be good and substantial reasons if a licence were taken away. He attached importance to the financial question, and he believed a great number of people in the country wished that there should be a time limit during which those in the trade could accumulate funds to enable them to write off any loss. Surely twenty-one years was a very different term from fourteen years. It would enable them to accumulate more than half as much again. Practically, the fourteen years notice was fifteen years notice, because the fourteen years did not commence till next year, and the twenty-one years notice was really twenty-two years. In fifteen years £1 accumulated annually at 4 per cent. compound interest would amount to £20, and in twenty-two years £1 accumulated annually at 4 per cent. compound interest would amount to £34. That was a very great difference indeed, and it would make an enormous difference in enabling the trade to deal with the question. Of course he knew that some would say it did not matter, and, even if they were able to accumulate these funds, they had no right to call upon them to do it. They, however, said that with a precarious

security and a risky grant they ought to be prepared to deal with it. Some illustrations had been given, but he noticed that they did not allow for or take into consideration any preparations already made. Prudent concerns had already accumulated very considerable reserve funds, and they would not have the whole preparation to make during the fourteen or twenty-one years. Some of them had made very considerable preparations; and, even if those funds were invested in public-house licences and those licence values had to be written off, it was simply a matter of book-keeping arrangement. They had only to write off the value of the licences on one side of their balance sheet and their reserve fund on the other side and the thing was done. If the money were invested in licence values, obviously, when those values disappeared the reserve fund disappeared. Surely hon. Gentlemen opposite did not expect that they could write off something and still have the reserve fund remaining; they were assuming some elementary knowledge of finance. It was clear that if the reserve fund was that of some other trade and was invested in licence values, and they wanted to realise them for some other purpose, they would not be available, but the fact that it was invested in the very property to be written off provided the remedy. A very large number of concerns had very prudently accumulated reserves, and this addition to the time during which they could accumulate the extra funds required, would make an enormous difference, it would ease the situation very much indeed, and certainly, so far as he was concerned, he should not do anything to oppose such a proposal.

MR. LAMBTON (Durham, S.E.) said he was sometimes unable to work himself up to such a state of indignation as regarded this Bill as some of his hon. friends, but he thought that in the speeches of the right hon. Member for the Spen Valley and the hon. Member for the Appleby Division of Westmoreland, there

might be found justification for the phrase "thrown to the wolves." The right hon. Gentleman who had just spoken had dismissed the question of loss of reserve capital by thousands of traders as a mere matter of book-keeping. The hon. Member for Appleby said he was a temperance reformer, he wanted temperance, and he did not care twopence about financial considerations. The country, however, did take these matters into consideration, and was not prepared to accept the Bill as a punitive measure invented by the right hon. Member and the hon. Member opposite. Both had spoken of the fourteen years proposal as having come scathless through Committee, but that could scarcely be so seeing the Prime Minister had adumbrated an Amendment to be submitted at a later stage. The hon. Member for the Appleby division was not in the House when the hon. Baronet the Member for Chippenham referred to the time limit as a "reign of terror," and perhaps the *Rosespierre* and *Marat* of the period might be found in the right hon. Member for the Spen Valley and the hon. Member for Appleby. The Prime Minister had suggested an Amendment which was not altogether understood, and discussion was impossible under an absolutely unnecessary closure resolution, while Ministers skulked under the scaffolding of the guillotine.

MR. BOTTOMLEY said he had a little difficulty in deciding what course to adopt in view of the Prime Minister's statement. He desired to do what would meet the general convenience of the Committee. If he clearly understood the right hon. Gentleman's statement, it was the intention on the Report Stage to put down some clause giving present licence-holders a further respite, or purgatorial period of seven years. His own view, if he might respectfully say so, was that the Committee should have an opportunity of seeing the Amendment in black and white, and then consider on the Report Stage whether it met the points raised and how, and whether a case had been made out for re-opening the matter at that stage. Subject to the view of the Committee he was disposed to withdraw his Amendment and not put them to the trouble of a division, which must of necessity result in cross-votings because nobody could understand where they were. Therefore, he formally asked leave to withdraw the Amendment.

Leave to withdraw being refused—

Question put, "That the words proposed to be left out stand part of the clause."

The Committee divided:—Ayes, 387; Noes, 119. (Division List No. 263.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Adkins, W. Ryland D.  
Agar-Robartes, Hon. T. C. R.  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armstrong, W. C. Heaton  
Ashton, Thomas Gair  
Asquith, Rt. Hon. Herbert Henry  
Astbury, John Meir  
Atherley-Jones, L.  
Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sir John E. (Somerset)  
Barnes, G. N.

Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beck, A. Cecil  
Bell, Richard  
Benn, Sir J. Williams (Devonport)  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romford)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Boulton, A. C. F.  
Brace, William  
Bramsdon, T. A.  
Branch, James  
Brodie, H. C.  
Brooke, Stopford  
Brunner, Rt. Hon. Sir J. T. (Cheshire)

Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Burns, Rt. Hon. John  
Buxton, Rt. Hon. Sydney Charles  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Cawley, Sir Frederick  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Compton-Rickett, Sir J.  
Cooper, G. J.

*Mr. Lambton.*

Corbett, C. H. (Sussex, E. Grinstad)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Crooks, William  
 Crossfield, A. H.  
 Crossley, William J.  
 Dakiel, James Henry  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Euston, George Birnie  
 Evans, Sir Samuel T.

Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lynch, H. B.  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.

Richards, Thomas (W. Monmouth)  
 Richards, T. F. (Wolverhampton)  
 Richardson, A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, Sir John H. (Denbigh)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarsbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lylph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Wadsworth, J.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Ward, W. Dudley (Southampton)  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Wedgwood, Josiah C.  
 Weir, James Galloway  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Williams, Osmond (Merioneth)

Williamson, A.  
Wills, Arthur Walters  
Wilson, Henry J. (York, W. R.)  
Wilson, John (Durham, Mid)  
Wilson, J. H. (Middlesbrough)

Wilson, J. W. (Worcestersh. N.)  
Wilson, P. W. (St. Pancras, S.)  
Wilson, W. T. (Westhoughton)  
Winfrey, R.  
Wood, T. M'Kinnon

Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
Joseph Pease and Master  
of Elibank.

### NOES.

Arkwright, John Stanhope  
Ashley, W. W.  
Aubrey-Fletcher, Rt. Hn. Sir H.  
Balcarres, Lord  
Balfour, Rt. Hn. A. J. (City Lond.)  
Banbury, Sir Frederick George  
Banner, John S. Harwood-  
Beach, Hn. Michael Hugh Hicks  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bottomley, Horatio  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Bull, Sir William James  
Burdett-Coutts, W.  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Carson, Rt. Hon. Sir Edw. H.  
Castlereagh, Viscount  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord John P. Joicey-  
Cecil, Lord R. (Marylebone, E.)  
Chamberlain, Rt. Hn. J. A. (Worc  
Clive, Percy Archer  
Coates, Major E. F. (Lewisham)  
Collings, Rt. Hn. J. (Birmingham)  
Craig, Charles Curtis (Antrim, S.)  
Craig, Captain James (Down, E.)  
Craik, Sir Henry  
Dixon-Hartland, Sir Fred Dixon  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Faser, George Denison (York)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fletcher, J. S.  
Forster, Henry William

Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Goulding, Edward Alfred  
Gretton, John  
Guinness, Hon. R. (Haggerston)  
Haddock, George B.  
Hamilton, Marquess of  
Hardy, Laurence (Kent, Ashford)  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Helmsley, Viscount  
Hill, Sir Clement  
Hope, James Fitzalan (Sheffield)  
Hunt, Rowland  
Joynson-Hicks, William  
Kerry, Earl of  
Kimber, Sir Henry  
King, Sir Henry Seymour (Hull)  
Lambton, Hon. Frederick Wm.  
Lane-Fox, G. R.  
Lea, Hugh Cecil (St. Pancras, E.)  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
Lupton, Arnold  
Lyttelton, Rt. Hon. Alfred  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
M'Calmont, Colonel James  
M'Iver, Sir Lewis  
Magnus, Sir Philip  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Mildmay, Francis Bingham  
Moore, William  
Morpeth, Viscount  
Nicholson, Wm. G. (Petersfield)  
Oddy, John James  
Parker, Sir Gilbert (Gravesend)  
Pease, Herbert Pike (Darlington)

Percy, Earl  
Randles, Sir John Scurrah  
Ratcliff, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Rothschild, Hon. Lionel Walter  
Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell  
Sandys, Lieut.-Col. Thos. Myles  
Sassoon, Sir Edward Albert  
Scott, Sir S. (Marylebone, W.)  
Smith, Abel H. (Hertford, East)  
Smith, F. E. (Liverpool, Walton)  
Smith, Hon. W. F. D. (Strand)  
Stanier, Beville  
Starkey, John R.  
Staveley-Hill, Henry (Staff'gh.)  
Stone, Sir Benjamin  
Strauss, E. A. (Abingdon)  
Talbot, Lord E. (Chichester)  
Thomson, J. W. Mitchell (Lanark)  
Thornton, Percy M.  
Walker, Col. W. H. (Lancashire)  
Warde, Col. C. E. (Kent, Mid)  
Warner, Thomas Courtenay T.  
Watt, Henry A.  
White, Patrick (Meath, North)  
Willoughby de Eresby, Lord  
Wilson, A. Stanley (York, E. R.)  
Winterton, Earl  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Younger, George

TELLERS FOR THE NOES—Sir  
Alexander Acland-Hood and  
Viscount Valentia.

And, it being Five of the clock, the CHAIRMAN proceeded, in pursuance of the Order of the 17th July, to put the Question on an Amendment of which notice had been given by the Government.

#### Another Amendment proposed—

"In page 3, line 13, to leave out the words 'on-licence' and insert the words 'licence (whether an on-licence or an off-licence.)'"—  
(Mr. L. Harcourt.)

"Question, "That the Amendment be made," put, and agreed to.

Whereupon the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Monday next.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at Two Minutes after  
Five o'clock till Monday  
next,



## HOUSE OF COMMONS.

*Monday, 19th October, 1908.*

The House met at a quarter before  
Three of the Clock.

## PETITIONS.

## CHILDREN BILL.

Petitions in favour: From North  
Kensington; and, Woodford and other  
places; to lie upon the Table.

## LICENSING BILL.

Petitions against: From Bozeat;  
Broughton; Chieveley and other places;  
Cranaley; Cromhall and other places;  
Earls Barton (two); Grendon; Harrow-  
den; Higham Ferrers (three); Irchester  
(three); Irthlingborough (two); Kems-  
ford; Kettering (seven); Lamborne and  
other places; Little Addington; Mears  
Ashby; North Corney; Rushden (six);  
Sapperton and Siddington; South Corney  
and other places; Sywell; Theale and  
other places; and, Wellingborough  
(thirteen); to lie upon the Table.

Petition from Griffiths Town, in favour;  
to lie upon the Table.

POOR LAW AMENDMENT (SCOTLAND)  
BILL.

Petition from Alva, in favour; to lie  
upon the Table.

## UNEMPLOYMENT.

Petition of the Irish Trades Union  
Congress, for legislation; to lie upon the  
Table.

## RETURNS, REPORTS, ETC.

FACTORY AND WORKSHOP ACT  
(SPECIAL EXCEPTION—MEAL TIMES).

Copy presented, of Order dated 13th  
October, 1908, made by the Secretary  
of State for the Home Department in  
pursuance of Section 40 (4) of The  
Factory and Workshop Act, 1901, ex-  
tending the special exceptions under that  
section to Florists' Workshops [by Act];  
to lie upon the Table.

VOL. CXCIV. [FOURTH SERIES.]

FACTORY AND WORKSHOP ACT  
(SPECIAL EXCEPTION—HOLIDAYS).

Copy presented, of Order dated 13th  
October, 1908, made by the Secretary  
of State for the Home Department in  
pursuance of Section 45 of The Factory  
and Workshop Act, 1901, granting a  
special exception under that section in  
respect of the women and young persons  
employed in (a) Florists' Workshops, (b)  
Hospital Laundries in Scotland [by Act];  
to lie upon the Table.

FACTORY AND WORKSHOP ACT (SPECIAL  
EXCEPTIONS—EMPLOYMENT INSIDE  
AND OUTSIDE ON THE SAME DAY).

Copy presented, of Order, dated 13th  
October, 1908, made by the Secretary of  
State for the Home Department in  
pursuance of Section 46 of The Factory  
and Workshop Act, 1901, granting a  
special exception under that section to  
Florists' Workshops [by Act]; to lie  
upon the Table.

FACTORY AND WORKSHOP ACT (SPECIAL  
EXCEPTION—OVERTIME).

Copy presented, of Order, dated 13th  
October, 1908, made by the Secretary of  
State for the Home Department, in  
pursuance of Section 49 of The Factory  
and Workshop Act, 1901, extending the  
special exception under that section to  
certain non-textile Factories and Work-  
shops and revoking the Orders of 29th  
December, 1903 and 15th November,  
1904 [by Act]; to lie upon the Table.

## MERCHANT SHIPPING ACT, 1894.

Copy presented, of Regulations for the  
Conveyance of Fish from Trawlers made  
under Section 417 of the Act [by Act];  
to lie upon the Table.

## CENSUS OF PRODUCTION ACT, 1906.

Copies presented, of Rules made by  
the Board of Trade under the Act [by  
Act]; to lie upon the Table.

POST OFFICE (FOREIGN AND COLONIAL  
POST).

Copy presented, of the Foreign and  
Colonial Parcel Post Amendment (No.  
20) Warrant, 1908, dated 15th August  
1908 [by Act]; to lie upon the Table.

## OLD-AGE PENSION ACT, 1908.

Copy presented, of Old-Age Pensions  
Regulations, dated 15th October, 1908,

[by Act]; to lie upon the Table, and to be printed. [No. 304.]

#### SUPREME COURT OF JUDICATURE.

Account presented, of Receipts and Expenditure of the Paymaster-General on behalf of the Supreme Court of Judicature in respect of the Funds of Suitors of the Court in the year ended 29th February 1908, and of Account of the National Debt Commissioners for the same period in respect of Funds held by them on behalf of the Supreme Court of Judicature, with the Report of the Comptroller and Auditor-General thereon [by Act]; to lie upon the Table, and to be printed. [No. 305.]

#### LAND LAW (IRELAND) ACT, 1887 (EVIC-TION NOTICES).

Copy presented, of Return of Eviction Notices filed during the quarter ended 30th September 1908 [by Command]; to lie upon the Table.

#### AGRICULTURE STATISTICS (IRELAND).

Copy presented, of Agriculture Statistics of Ireland for the year 1907 [by Command]; to lie upon the Table.

#### SHERIFF COURTS (SCOTLAND) ACT, 1907.

Copy presented, of Act of Sederunt regulating the Fees of Sheriff Officers in the Sheriff Courts in Scotland [by Act]; to lie upon the Table.

#### TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Reports, Annual Series, No. 4149 [by Command]; to lie upon the Table.

#### OLD-AGE PENSIONS ACT, 1908.

Orders [16th October] for printing Papers relative thereto, read, and discharged.

#### CATTLE-DRIVES (IRELAND).

Return ordered, "by counties and quarterly periods, of the number of Cattle-drives reported by the Royal Irish Constabulary to have taken place in Ireland from the 1st day of January, 1907 to the 30th day of September, 1908."—(*Mr. Lonsdale.*)

### QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

#### Discharge of Joiners from Pembroke Dockyard.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the First Lord of the Admiralty whether he is aware that when joiners are discharged from the Royal Dockyard at Pembroke a large and undue proportion of those discharged are men who are members of a trade union, the reason being given that they will receive 10s. per week from their trade society, whilst those that do not belong to a society will get nothing; and whether he will take steps to put a stop to this treatment of workmen who belong to a trade union.

(*Answered by Mr. McKenna.*) No joiners have been discharged at Pembroke Dock during the last three years. The selection of the joiners who were discharged in 1904-5 was determined according to service and capability, and, so far as can be ascertained, there is nothing to support the suggestion that membership of a trade union or otherwise was taken into consideration.

#### Old-Age Pensions Rules.

MR. CORRIE GRANT (Warwickshire, Rugby): To ask the President of the Local Government Board whether an allowance of 10s. per week made by an employer to an old servant is means within the meaning of the Old Age Pensions Act.

(*Answered by Mr. John Burns.*) The point referred to in the Question is, with some others, at present receiving consideration, and a definite answer cannot at the moment be given.

#### Supplementary Estimates.

MR. BOWLES (Lambeth, Norwood): To ask Mr. Chancellor of the Exchequer whether he will state the total amounts, gross and net, of the Supplementary Estimates submitted to this House during the financial year 1907-8, with the Department responsible for each.

(*Answered by Mr. Lloyd-George.*) The following statement gives the information required by the hon. Member.

## Supplementary Estimates, 1907-8.

Number of House of Commons Paper.	Service.	Gross Amount.	Net Amount.	Accounting Department.
28/08	Army - - -	£ 358,000	£ 100	War Office
143/07	Colonial Services (Jamaica, Earthquake)	150,000	150,000	Colonial Office
263/07	Houses of Parliament Buildings	5,700	5,700	Office of Works
	Colonial Office - -	2,200	2,200	Colonial Office
	Board of Education -	200,000	200,000	Board of Education
	Public Education, Scotland	11,000	11,000	Scottish Education Department
	Colonial Services -	132,690	132,690	Colonial Office
	Expenses under Un- employed Work- men Act, 1905	200,000	200,000	Treasury
	Repayments to Civil Contingencies Fund	14,439	14,439	Treasury
27/08	Board of Agriculture and Fisheries	101,750	100,000	Board of Agriculture
	Mint, including Coin- age	2,370	20	Mint
	Public Trustee - -	2,270	1,870	Public Trustee
	Treasury Chest Fund	327	327	Treasury
35/08	Post Office - - -	260,000	260,000	Post Office
	Law Charges, &c., Ireland	2,500	2,500	Chief Secretary's Office
	Royal Irish Constabu- lary	5,000	5,000	Inspector General, Royal Irish Con- stabulary
	Board of Education	6,000	6,000	Board of Education
		1,454,246	1,091,846	

In addition to the above Supplementary Estimates, the sum of £50,000 was voted as a grant to the Earl of Cromer, on the presentation of a Message from His Majesty the King.

### Administration of the Poor Law in Poplar.

MR. REES (Montgomery Boroughs): To ask the President of the Local Government Board whether he is aware of the interpretation put upon the Order which issued from his office this year relating to the modified workhouse test, under which the Poplar guardians are disbursing relief up to a maximum of 17s. 6d. a week to the families of men employed at the farm colonies at Laindon and Forest Gate; and whether he proposes to make another investigation into the administration of the Poor Law in Poplar.

(Answered by Mr. John Burns.) I am aware of the action taken under the Order referred to. That Order has now lapsed and in lieu of it a new one has been issued, laying down amended conditions under which relief may be given out of the workhouse by the Poplar guardians to the families of able-bodied men who are relieved in the workhouse. I hope that it will not be necessary that any further inquiry should be held of the kind suggested in the Question.

### Assessment of Railway Companies.

MR. REES: To ask the President of the Local Government Board whether he proposes to take any steps to protect railway companies against over-assessment under the parochial system now in force, and to provide for their assessment in respect of total net annual value.

(Answered by Mr. John Burns.) If a railway company considers that it is over-assessed, its remedy is to appeal against the assessment. I am not myself empowered to take any action in the matter. Whether there should be any alteration in the law with regard to the assessment of railways is a matter which will receive consideration in connection with the Valuation Bill.

### Work for Unemployed at Leeds.

MR. FELL (Great Yarmouth): To ask the President of the Local Government Board if the afforestation work undertaken near Leeds to provide work for the unemployed last year is being continued; and, if so, how many men are now employed; and how much money will be devoted to it this winter.

(Answered by Mr. John Burns.) The afforestation work on the Leeds Corpora-

tion Waterworks estate is being continued. I learn that some of the unemployed are already engaged on the work, and that it is intended to expend £600 this winter in the wages of unemployed, and a similar amount in the wages of experienced men.

MR. FELL: To ask the President of the Local Government Board if any Report or statement can be laid before the House giving the result of the afforestation experiment at Leeds, so far as it has gone, with the number of unemployed who were engaged, the acreage and number of trees planted, and the cost of the experiment.

(Answered by Mr. John Burns.) The waterworks engineer of the Leeds Corporation has made a report on the result of three seasons' afforestation work on the corporation's waterworks estate. The following are the totals of the figures for the three years 1905-6, 1906-7, and 1907-8—

Number of unemployed engaged	-	-	476
Area planted	-	-	514 acres
Number of trees planted	-	-	1,514,300
Cost of the experiment, including £1,043 spent in 1904-5 for barracks	-	-	£7,194.

### Local Government Board and the Motor Speed Limit.

MR. HAROLD COX (Preston): To ask the President of the Local Government Board whether his attention has been called to the statements made at a meeting of the Guildford District Council to the effect that the Local Government Board put every block in the way of getting a speed limit for motors in villages; whether the same district council supported the action of the Sand and Ripley parishes for the fixing of a speed-limit in those villages; and what action he has taken in the matter.

(Answered by Mr. John Burns.) I have seen a newspaper report of the proceedings of the Guildford Rural District Council at which the statements referred to were made. It appears that the Surrey County Council have had before them a number of applications from various parts of the county for the imposition of low speed-limits for motor cars. Three of

these proposals they have put forward to the Local Government Board, and I have directed local inquiry upon them. None of these proposals relate to the parishes of Send or Ripley.

**MR. HAROLD COX:** To ask the President of the Local Government Board what action has been taken by him with regard to the application made by the Middlesex County Council and the Staines Rural District Council for the fixing of a ten-mile speed-limit for motor cars in a certain part of the parish of Shepperton.

*(Answered by Mr. John Burns.)* An inquiry has been held with reference to the application, and the Board have informed the Middlesex County Council that they have decided to comply with it. The order will be issued as soon as the notices indicating the reduced speed-limit are ready for erection.

#### Unemployed and Poor Relief.

**MR. PICKERSGILL** (Bethnal Green, S.W.): To ask the President of the Local Government Board whether his attention has been called to the reports of several distress committees in London to the effect that the regulation that an applicant for work must not have received poor relief within the preceding twelve months operates with great hardship in particular cases, especially when the relief given has been only to the extent of two or three shillings, and perhaps on one occasion only; and whether he will repeal this regulation, so that the distress committees may be free to deal with each case on its merits.

**MR. PICKERSGILL:** To ask the President of the Local Government Board whether his attention has been drawn to the report of the Camberwell Distress Committee that the regulation that the applicant for work must not have received assistance on relief works in two successive years preceding his application presses hardly on those engaged in season trades; and whether, pending more effective provision for those engaged in such trades, he will suspend this regulation.

*(Answered by Mr. John Burns.)* Perhaps I may be allowed to answer together this and the Question which follows it on

the Paper. The reports to which my hon. friend refers have been brought under my notice and I have given attention to the points raised in them. As, however, the subject of the unemployed is now under the consideration of the Government, I think it better to defer for the moment giving a decision with regard to them.

#### Publication of Report of Poor Law Commission.

**MR. PIKE PEASE** (Darlington): To ask the President of the Local Government Board whether he can state the date on which the Poor Law Commission Report will be received.

*(Answered by Mr. John Burns.)* The Royal Commission are now engaged in considering their Report, and I understand that they are making every effort to accelerate its completion. It is hoped that it will be presented by the end of the year.

#### Motor Speed-Limit in London Parks.

**MR. MACKARNESS** (Berkshire, Newbury): To ask the President of the Local Government Board whether he can state by what law power is given to limit the speed of motor vehicles to ten miles an hour in the London parks, and for what reason the power is not exercised to impose the same limit of speed in the crowded thoroughfares of the metropolis.

*(Answered by Mr. John Burns.)* The authority for the limitation of the speed of motor cars in the royal parks in London is the Parks Regulation Act, 1872, and the statutory rules made thereunder. The Act only applies to "the royal parks, gardens, and possessions, the management of which is for the time being vested in the Commissioners" of His Majesty's Works, and the powers conferred by it could not be exercised as regards the speed of motor cars in the streets.

#### Limiting of Speed of Motor Vehicles.

**MR. MACKARNESS:** To ask the President of the Local Government Board whether he will state how many applications were made to the Local Government Board by local authorities for orders to reduce the speed of motor cars to ten miles an hour in the years 1904 and 1905, and how many since; which are the local authorities who have so



applied and when; and in how many cases the applications were granted prior to 1906, and in how many since.

(*Answered by Mr. John Burns.*) During the years 1904 and 1905, forty-eight applications were made to the Local Government Board by local authorities for the reduction of the speed of motor cars to ten miles per hour on certain roads, namely, seven by county councils and forty-one by town councils. Since 1905 there have been fifty-four such applications, namely, thirty-seven by county councils and seventeen by town councils. In a considerable number of cases these applications have been subsequently abandoned or allowed to lapse. No order fixing a speed limit of ten miles was issued in 1904, one was issued in 1905. Since that date twenty such orders have been issued and another is about to issue.

#### County Councils and Licence Duties.

MR. VERNEY (Buckinghamshire, N.): To ask the President of the Local Government Board whether he can give the date for the transfer to county councils of powers to levy certain duties under the Finance Act, 1908, Section 6; and if he is unable to do so now, whether he will consider the desirability of doing so as soon as possible for the convenience of those engaged in the preliminary work necessary for carrying out the provisions of the Act.

(*Answered by Mr. John Burns.*) It is proposed that the transfer should take effect on the 1st January next.

#### Trawling in Prohibited Areas Bill— Second Reading.

MR. ESSLEMONT: (Aberdeen, S.): To ask the Secretary for Scotland, on what date the Second Reading of the Trawling in Prohibited Areas Prevention Bill will be taken.

(*Answered by Mr. Sinclair.*) The date is not yet fixed.

#### Alleged Cruelty to Natives at the Franco-British Exhibition.

MR. BYLES (Salford, N.): To ask the Secretary of State for the Home Department whether his attention has been called to the exhibition of alleged natives of Ceylon in the Franco-British Exhibition, exposed to climatic and other

conditions prejudicial to their health; whether the present arrangements have the sanction of the Home Office; and, if not, can he intervene for the protection of these people.

(*Answered by Mr. Secretary Gladstone.*) The arrangements made for these persons do not require the sanction of the Home Office, but I have made inquiries, and I am assured by the authorities of the exhibition that they are well supplied with woollen underwear and blankets; that a physician attends regularly at the "Ceylon Village," but up to the present there has not been a single case of serious illness among the natives; and that the sanitary inspector on Saturday last informed the authorities in charge of the village that the living rooms and sleeping accommodation there do not give cause for the slightest complaint.

#### Children and Street Trading.

MR. SMEATON (Stirlingshire): To ask the Secretary of State for the Home Department whether, in view of the Report of the Inter-departmental Committee in 1901 and the strong expression of opinion by the chief constable of Manchester in 1906, condemnatory of employment of children in street trading, and the fact that in Glasgow and other large cities evidence is forthcoming that street trading leads to grave physical and moral deterioration of boys and girls, he will insert a clause in the Children Bill making it illegal for boys or girls under sixteen to be engaged in street trading on any terms whatsoever, or, as an alternative, a clause raising the age below which street trading is illegal from eleven to fourteen.

(*Answered by Mr. Secretary Gladstone.*) It is not proposed to insert any provision in the Children's Bill on the subject of street trading, for reasons which were explained by me in reply to a Question on the 12th March last by the hon. Member for the Ealing Division of Middlesex. As has already been announced, the Government will propose next session the appointment of a Select Committee to inquire into the question of street trading by children and young persons.

#### Inspectorships of Factories.

MR. WATT (Glasgow, College): To ask the Secretary of State for the Home

Department whether the principle of nomination for permission to sit at public competitive examinations for inspectorships and assistant inspectorships of factories still exists in his department; if so, will he say what are the advantages to the country in so restricting these examinations to those who have influence; and whether he will make these appointments in future open to merit apart from social status.

*(Answered by Mr. Secretary Gladstone.)*

The Answer to the first part of the Question is in the affirmative. The Answer to the second part is that the hon. Member is under a complete misapprehension in supposing that social influence has anything whatever to do with the selection of a candidate. If my hon. friend will refer to the debate on the Home Office Estimates on the 18th July 1907, he will see in detail the arguments for the present system.

#### **Extra Police employed during Suffragists' Disturbance.**

**COLONEL LOCKWOOD** (Essex, Epping): To ask the Secretary of State for the Home Department what number of police were employed in and around the Palace of Westminster, including Trafalgar Square, during the last week; how many were drawn from reserves; and what extra remuneration will be paid, in view of the protracted nature of their services.

*(Answered by Mr. Secretary Gladstone.)*

I do not think it is advisable to publish full details of the strength of the police employed on certain occasions, and no doubt my hon. friend will agree that this objection is not unreasonable. All the men employed beyond their regular hours will receive equivalent time off.

#### **Traction Engines on Highways.**

**MR. HERBERT** (Buckinghamshire, Wycombe): To ask the Secretary of State for the Home Department whether he is aware that owners of traction engines habitually ignore the requirement of Section 29 of the Highways and Locomotives Amendment Act, 1878, that one person shall precede the locomotive at least twenty yards on foot to assist drivers of horses; and whether he will issue a circular to chief constables

of counties as to this provision and take steps to secure that the law is enforced.

**MR. HERBERT:** To ask the Secretary of State for the Home Department whether he is aware that proprietors of light traction engines appear to be under the impression that the sole condition enabling them to work as motors without the presence of a third man is that they shall be under six tons in weight, and that the police in many counties appear to share this impression; and whether he will call the attention of chief constables of counties to the further requirement of the Locomotives on Highways Act, 1896, that such traction engines can only work without a third man if they emit neither smoke nor vapour except as a temporary or accidental matter.

*(Answered by Mr. Secretary Gladstone.)*

I will answer these Questions together. The central authority for the purposes of the Locomotives Act is the Local Government Board, and I will consult with my right hon. friend the President as to whether it is desirable to issue a circular to the police on the points mentioned by my hon. friend.

#### **Licences for the Sale of Liquor.**

**MR. STUART WORTLEY** (Sheffield, Hallam): To ask the Secretary of State for the Home Department whether any statistics are available of the number of licences in existence in the United Kingdom year by year from any period anterior to the Licensing Act of 1872; if not, what is the earliest date from which such figures could be given; and whether he would consent to a Return being ordered of the number of licences in each year for such period, distinguishing the number of on-licences from the number of off-licences, and exhibiting separately the proportion of licences in each class to every 10,000 of population, as well as the like numbers and proportion for each of the three Kingdoms separately.

*(Answered by Mr. Secretary Gladstone.)*

If the right hon. Gentleman desires statistics of licensed premises similar to those which are now issued annually from my Department, I have to say that, after causing the existing Parliamentary Papers on the subject for England and Wales to be examined, I am afraid that

they, though numerous from the year 1873 onwards, as will be seen from the indexes, are of such a nature that even if it were possible within a reasonable time to condense them into a single Return, the result would not be sufficiently complete and trustworthy to be of any value. The right hon. Gentleman is no doubt aware that the Board of Inland Revenue prepared for the Royal Commission on Licensing Laws a statement of licences issued by them from the year 1829 onwards, see page 426 and onwards of Volume 1 of the Minutes of Evidence, published by that Commission, and that since the date of that statement the Board's annual Reports give similar figures. For various reasons, which the right hon. Gentleman will understand, these figures of Excise licences are not strictly comparable with the figures of licensed premises, and I doubt whether it would serve his purpose to reissue them in a special Return, giving the proportions borne by the various classes of Excise licences to population.

#### Accident at Dalbeath Pit.

MR. PONSONBY (Stirling Burghs): To ask the Lord Advocate whether his attention has been called to the death of Robert Adamson in November last year by the collapse of a brick arch in the Dalbeath Pit, belonging to the Fife Coal Company; whether, owing to the unsatisfactory nature of the public inquiry which was held, instructions will be given for a further public inquiry or a Home Office inquiry being instituted into the whole facts and circumstances connected with the accident; and whether he will consider the advisability of issuing an order allowing the representatives of injured or deceased workmen to get access to the *locus* of an accident immediately after it happens.

(*Answered by Mr. Thomas Shaw.*) I am having inquiries instituted into this matter by the Crown Office and on the spot, and I should be glad to communicate the result of these to my hon. friend either privately or in answer to a Question, say, in ten days time.

#### Messrs. J. and P. Coats' Request to Public Prosecutor.

MR. H. C. LEA (St. Pancras, E.): To ask the Lord Advocate whether he has received a request from Messrs. J. and

P. Coats, Limited, Paisley, to prosecute a firm of coal factors for a gross case of fraud, which latter could not have been perpetrated unless it had been connived at by the colliery who supplied the coal, who, to bolster up the fraud, issued a false certificate as to the quality; whether, accompanying that request to prosecute, there was documentary evidence of the clearest character to insure a conviction; and, if so, why a prosecution was not instituted by the Public Prosecutor.

(*Answered by Mr. Thomas Shaw.*) I do not think it would be either in the public interest or fair to the parties concerned to canvass the narrative given in the Question. I must not, however, be held as acquiescing in it as accurate. But upon the specific point put whether the documentary evidence was such as to insure a criminal conviction I have to inform the hon. Member that I personally and carefully considered the documents and available evidence in this case and came to hold the opinion, confirming that of the Solicitor-General for Scotland, that these were not such as would secure a criminal conviction of the persons against whom Messrs. Coats made this charge of fraud. This being so, it would have been improper for me to order proceedings. It is open to Messrs. Coats to institute a civil action of damages in respect of the matter complained of, but this, for some reason, they delay or decline to do.

#### Richmond Park.

MR. C. B. HARMSWORTH (Worcestershire, Droitwich): To ask the First Commissioner of Works if he will state what steps have been taken to fulfil the promise that portions of Richmond Park should be thrown open to the public and that game preserving should cease; and if he is prepared to state whether any ground or woods have been thrown open, and, if so, the acreage.

(*Answered by Mr. L. Harcourt.*) My attention has been drawn to certain inaccurate statements which have appeared on this subject. I am glad to be able to assure the House that they are absolutely without foundation. By direction of His Majesty game preserving in Richmond Park has entirely ceased since the death of the late Duke of Cambridge. A certain number of pheasants, partridges, and hares breed wild in the park, but no

game is preserved or shot. More than 100 acres of covert and paddock have been thrown open to the public, cricket and football grounds have been made, and a miniature rifle range has been established. It is hoped that it may be possible to make further additions to the park, but, as my hon. friend will readily understand, we are obliged to keep certain coverts closed in order to encourage the wild birds, which are one of the most charming and interesting features of the park.

**Accuracy of Discussion Reported in Cd. 4185 (1908).**

**MR. BUTCHER** (Cambridge University): To ask the President of the Board of Education whether the report of a discussion set out in Command Paper 4185, of 1908, which took place on the 13th of May between the Secretary to the Board of Education and a deputation representative of educational associations on the subject of a teacher's register was ever submitted before publication to the members of the deputation whose views are there represented, or, if not, what other steps he has taken to satisfy himself that the report which does not profess to be verbatim accurately expresses the views put forward by the deputation.

(*Answered by Mr. Runciman.*) The answer to the first paragraph is in the negative. But the report was compiled from notes taken at the time and was very carefully revised at the hands of three different officials, each of whom was present throughout the discussion, and it is confidently believed that it accurately expresses what passed. The Board have received no intimation or suggestion from any member of the deputation that this is not the case.

**Constitution of a Registration Council.**

**MR. BUTCHER:** To ask the President of the Board of Education what are the reasons for the delay in giving effect to the provisions of 7 Edw. 7, c. 43, s. 16, regarding the constitution of a registration council.

(*Answered by Mr. Runciman.*) The proposals for the constitution of a registration council, which were submitted to the Board by a committee comprising delegates from twelve educational associations and which have since been published, have

elicited protests from various important sections of the teaching profession. The weight attaching to these objections makes it difficult to regard a council so constituted as representative of the profession, as required by the statute. I have referred these protests to the committee, and I am hoping to receive from them revised proposals which will command general agreement.

**Applications for Old-Age Pensions.**

**MR. TIMOTHY DAVIES** (Fulham): To ask Mr. Chancellor of the Exchequer if he can state the number of applications received up to date for old-age pensions, giving the number claiming 1s., 2s., 3s., 4s., and 5s. respectively.

(*Answered by Mr. Lloyd-George.*) The total numbers of claims received by pension officers up to the 10th instant amounts to 468,164, of which 273,862 come from England, 131,610 from Ireland, 49,077 from Scotland, and 13,615 from Wales. The information at present in my possession does not enable me to classify these applications according to the amount claimed in each case.

**Consumption of Beer and Spirits.**

**MR. STUART WORTLEY:** To ask Mr. Chancellor of the Exchequer whether it would be possible to give a Return showing separately for each of the three Kingdoms the amount of spirits and beer consumed per head of the population as shown for the United Kingdom on page 130 of the current number of the Statistical Abstract; and, if so, whether such Return could be carried back to any period before the Licensing Act of 1872.

(*Answered by Mr. Lloyd-George.*) The Return could be given on the lines followed in the Financial Relations Return, but not for any years before 1888.

**Old-Age Pensions Claims.**

**MR. VERNEY:** To ask Mr. Chancellor of the Exchequer whether applicants for pensions, duly qualified as regards age and in other respects, now in receipt of weekly wages which will terminate at the end of the current year, and who will then be without any income, are justified, under the Pension Act, in claiming full pensions as having no income.



direct the attention of the Estates Commissioners to the matter with a view of purchasing the occupier's interest, reinstating the former evicted tenant, and increasing existing uneconomic holdings in the neighbourhood.

MR. KILBRIDE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that in the townland of Oghill, Monasterevan, County Kildare, on the Drogheda estate, there are thirty holdings varying from one to ten acres; whether his attention has been directed to the advertisement of sale of the late Mr. Conlan's farm of 300 acres at Oghill on the 30th instant, also on the Drogheda estate; and whether he will cause the Estates Commissioners to inquire into the facts with a view to purchasing the late Mr. Conlan's interest and have the lands divided so as to increase the size of the existing uneconomic holdings in the neighbourhood.

(Answered by Mr. Birrell.) Purchase agreements have recently been lodged with the Estates Commissioners in respect of twenty-three holdings on the estate of the Earl of Drogheda, including an agreement signed by Peter Conlan for the purchase of his holding at Oghill comprising 296 acres. In seventeen out of the twenty-three cases the area of the holding does not exceed ten acres. The Commissioners have no knowledge that the tenant's interest in Conlan's or any other case has been advertised for sale. But in any event, having regard to the statutory conditions under which the Commissioners act, it is not possible for them to attend and bid at sales by auction, nor have they power to make any advance out of the Land Purchase Fund for the purchase of a tenant's interest.

#### Camping on Frensham Common.

MR. HORNIMAN (Chelsea): To ask the Secretary of State for War whether the War Office is in negotiation for or contemplates the formation of a cavalry or other camp on or near Frensham Common, Surrey.

(Answered by Mr. Secretary Haldane.) There is no intention of establishing a permanent camp on Frensham Common. The hon. Member is doubtless aware

that the troops of the Aldershot Command are frequently encamped on the common every year.

#### Weekly Payment of Army Pensions.

MR. GOULDING (Worcester): To ask the Secretary of State for War whether, in view of the fact that the pensions under the Old-Age Pensions Act are to be paid weekly, he will give instructions for Army pensioners receiving pensions not exceeding £35 a year to be also paid weekly.

(Answered by Mr. Secretary Haldane.) Will the hon. Member kindly refer to my reply to a Question on this subject put by the hon. Member for the Isle of Wight Division of Hampshire on the 14th instant?

#### Director-General of Army Finance.

MR. ASHTON (Bedfordshire, Luton): To ask the Secretary of State for War whether a Director-General of Army Finance has been appointed in place of Sir Guy Fleetwood Wilson; if not, whether it is intended to appoint such an officer, and, if the office of Director-General is to be abolished or held in suspense, whether an Order in Council will be necessary to regularise the alteration; and upon what officer will the duties of the Director-General of Army Finance devolve.

(Answered by Mr. Secretary Haldane.) An officer has been appointed, with the title of Assistant Financial Secretary, to take the place of Sir Guy Fleetwood Wilson as accounting officer to the War Office and to carry on the duties of the post of Director-General of Army Finance, with the exception of contract questions, which will go to the Director of Contracts. The terms of the necessary Order in Council are now under consideration.

#### Courts of Quarter Sessions.

MR. GRETTON (Rutland): To ask the Secretary of State for the Home Department if he will state the number and names of the large boroughs having a separate Court of quarter sessions and also the number and names of those boroughs which, being large boroughs within the meaning of Clause 17 of the Licensing Bill, do not possess a separate Court of quarter sessions.



(Answered by Mr. Secretary Gladstone.)  
The names and numbers of "large boroughs," within the meaning of Clause 17 of the Licensing Bill, with and without separate Courts of quarter sessions, respectively, are as follows :—

Large Boroughs. (Licensing Bill,  
Clause 17.)

(a) With separate Courts of Quarter  
Session.

Bath (C.B.).  
Bedford.  
Birkenhead (C.B.).  
Birmingham (C.B.).  
Blackburn (C.B.).  
Bolton (C.B.).  
Bournemouth (C.B.).  
Bradford (C.B.).  
Brighton (C.B.).  
Bristol (C.B.).  
Burnley (C.B.).  
Cambridge.  
Canterbury (C.B.).  
Cardiff (C.B.).  
Carlisle.  
Chester (C.B.).  
Colchester.  
Croydon (C.B.).  
Derby (C.B.).  
Devonport (C.B.).  
Doncaster.  
Dover.  
Dudley (C.B.).  
Exeter (C.B.).  
Folkestone.  
Gloucester (C.B.).  
Gravesend.  
Great Yarmouth (C.B.).  
Grimsby (C.B.).  
Hanley (C.B.).  
Hastings (C.B.).  
Ipswich (C.B.).  
Kingston-upon-Hull (C.B.).  
Leeds (C.B.).  
Leicester (C.B.).  
Lincoln (C.B.).  
Liverpool (C.B.).  
London (City).  
Maidstone.  
Manchester (C.B.).  
Newcastle-upon-Tyne (C.B.).  
Northampton (C.B.).  
Norwich (C.B.).  
Nottingham (C.B.).  
Oldham (C.B.).  
Oxford (C.B.).

Peterborough (included in the  
Liberty which has separate  
Court of Quarter Sessions).

Plymouth (C.B.).  
Portsmouth (C.B.).  
Reading (C.B.).  
Rochester.  
Rotherham (C.B.).  
Salford (C.B.).  
Scarborough.  
Sheffield (C.B.).  
Shrewsbury.  
Southampton (C.B.).  
Sunderland (C.B.).  
Swansea (C.B.).  
Walsall (C.B.).  
West Bromwich (C.B.).  
West Ham (C.B.).  
Wigan (C.B.).  
Wolverhampton (C.B.).  
Worcester (C.B.).  
York (C.B.).

Total 66.

(b) Without separate Courts of Quarter  
Sessions.

Accrington.  
Ashton-under-Lyne.  
Aston Manor.  
Barnsley.  
Barrow-in-Furness (C.B.).  
Batley.  
Blackpool (C.B.).  
Bootle (C.B.).  
Burslem.  
Burton-upon-Trent (C.B.).  
Bury (C.B.).  
Chesterfield.  
Coventry (C.B.).  
Crewe.  
Darlington.  
Darwen.  
Dewsbury.  
Eastbourne.  
East Ham.  
Eccles.  
Gateshead (C.B.).  
Halifax (C.B.).  
Harrogate.  
Heywood.  
Hove.  
Huddersfield (C.B.).  
Hyde.  
Jarrow.  
Keighley.  
Kingston-upon-Thames.  
Lancaster.  
Leamington.

Leigh.  
 Longton.  
 Lowestoft.  
 Luton.  
 Macclesfield.  
 Merthyr Tydfil (C.B.).  
 Middlesbrough (C.B.).  
 Middleton.  
 Nelson.  
 Newport (Mon.) (C.B.).  
 Poole.  
 Preston (C.B.).  
 Ramsgate.  
 Reigate.  
 Richmond (Surrey).  
 Rochdale (C.B.).  
 St. Helens (C.B.).  
 Southend-on-Sea.  
 Smethwick (C.B.).  
 Southport (C.B.).  
 South Shields (C.B.).  
 Stalybridge.  
 Stockport (C.B.).  
 Stockton-on-Tees.  
 Stoke-upon-Trent.  
 Swindon.  
 Torquay.  
 Tunbridge Wells.  
 Tynemouth (C.B.).  
 Wakefield.  
 Warrington (C.B.).  
 Wednesbury.  
 West Hartlepool (C.B.).

Total 65.

"(C.B.)" denotes County Boroughs.

#### Number of Cabs—Motor and Horse Drawn.

MR. B. S. STRAUS (Tower Hamlets, Mile End): To ask the Secretary of State for the Home Department whether he can give the number of taxi-motor cabs licensed on 30th September this year, and also the number of hansoms and four-wheelers licensed on the same date.

(Answered by Mr. Secretary Gladstone.)  
 On the 30th September the following were the numbers of the different kinds of licensed cabs:—

Motor cabs	-	-	2,273
Hansom cabs	-	-	5,095
Four-wheeled horse cabs			3,754
Total			- 11,122

#### Postal Facilities at Ballina and Crossmolina.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Postmaster-

General if he is aware that although the day mail arrives at Ballina, county Mayo, at 11.40 a.m., the mail car carrying the mail to the important town of Crossmolina, six miles distant, does not leave Ballina till about 4.30 p.m., and the letters are not delivered till 6.15 p.m. at the earliest; is he aware that large numbers of people get the daily papers by this service as well as their letters, which include all English letters of the preceding day; can he say why it is necessary to start the mail car from Ballina so late; and will he make arrangements whereby it could leave about 12.30 p.m., and so have letters and papers delivered in Crossmolina by 2 o'clock, or thereabouts.

(Answered by Mr. Sydney Buxton.) The postal service to Crossmolina is already carried on at a considerable loss to the Revenue, and, as the alteration suggested by the hon. Member would involve additional cost, I should not be justified in adopting it. Moreover, some advantage is gained by the present arrangement, inasmuch as it admits of correspondence posted in Dublin in the morning being delivered at Crossmolina the same day.

#### Meals for School Children.

MR. ROWLANDS (Kent, Dartford): To ask the President of the Board of Education whether he can state how many education authorities throughout the country have applied for power to levy a rate with which to supply meals to necessitous children, under Section 3 of the Education (Provision of Meals) Act, 1906.

(Answered by Mr. Runciman.) Fifty-seven.

#### Completion of Marble Arch Improvements.

MR. HORNIMAN: To ask the First Commissioner of Works whether he can state at what date the new gates and lamps at the Marble Arch will be erected, so completing this improvement.

(Answered by Mr. L. Hurcourt.) This is a portion of the improvement for which the London County Council is responsible, but it is expected that the gates and lamps will be erected by the end of this year.

### Warranty on Fat Stock.

**MR. STANIER** (Shropshire, Newport): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if the action of the National Federation of Meat Sellers in demanding a warranty on fat stock and the farmers' refusal to give one has been brought to the notice of the Board; and, if so, does the Board propose to take any action.

*(Answered by Sir Edward Strachey.)* The Board are carefully watching the discussions which are taking place on this subject, but they do not at present see that they can usefully take any action with regard to it.

### Potato Disease in Dumfries.

**MR. MOLTENO** (Dumfriesshire): To ask the hon. Member for South Somerset, as representing the Board of Agriculture, whether he can state upon what information the county of Dumfries was scheduled as affected with the potato disease known as black scab; whether any notification has been received during the current year of the occurrence of this disease; whether he can state if any steps were taken to verify the notification when first made, and the date of this notification; upon receiving the notification, was an expert sent down to make any examination or inquiry on the spot; was any communication made to the authorities on the spot, such as the County Agricultural Committee; was the locality placed under observation and were any steps taken to deal with and eradicate the disease or circumscribe the area of its occurrence; has any notification been received this year in regard to the occurrence of this disease, and, if so, will he state the neighbourhood in which such disease has occurred and whether any steps have been taken to investigate and report upon this occurrence; whether he is aware of the injury which has been done to the county by placing the whole county in a schedule as if such county were affected throughout; and whether, in view of the fact that the only case reported occurred in a garden last year and that no case has been reported this year from any part of the county, and in view of the injury which has been done by this notification, the Board will be

prepared to make public all the circumstances connected with this case

*(Answered by Sir Edward Strachey.)* The county of Dumfries has not been scheduled as affected with warty disease of potatoes, but the fact that the disease exists there has been notified to the Press with the view of reminding potato growers that black scab is a notifiable disease under the Destructive Insects and Pests Order of 1908. A notification of the existence of the disease in a garden was received in August last from a potato grower in the county, and the specimen forwarded by him was certified as being affected with black scab by the Board's expert advisers at the Royal Gardens, Kew. The owner was advised as to the nature, prevention, and remedy of the disease. Neither the County Agricultural Committee nor any other local authority are charged with any duties under the Order, and no communication was therefore made to them. An inspector has visited the locality and made a tour of inspection, and though he has found the existence of the disease in two other gardens he has no reason to suppose that it has spread to the farms of the county. The Board, in accordance with their usual practice in dealing with outbreaks of disease, do not propose to publish the names and addresses of the owners of the gardens where the disease exists, but so far as they are aware it has not affected the field crops in this county, and there is no need for alarm.

### Examination of Seamen by Board of Trade.

**MR. HAVELOCK WILSON** (Middlesbrough): To ask the President of the Board of Trade if he can state the number of cases where seamen have been examined by the nautical surveyors of the Board of Trade when there has been any doubt as to the efficiency of such seamen engaged on board of British ships, and the number of such examinations since the year 1897.

*(Answered by Mr. Churchill.)* No special record has been kept of the cases to which my hon. friend refers, but inquiries shall be made and the result communicated to him.

**Reservation for Government Use of Line from Essen to Coast of Germany.**

MR. BELLAIRS (Lynn Regis): To ask the President of the Board of Trade whether the main line from Essen to the North and West Coast of Germany has been and is still being reserved exclusively to the carriage of Government goods, chiefly armaments, so that ordinary trade is sent by a longer route.

(Answered by Mr. Churchill.) I have no information on the subject.

**Working of the Inebriates Act in Scotland.**

MR. MUNRO FERGUSON (Leith Burghs): To ask the Secretary for Scotland whether he proposes to appoint a Committee to deal with the question of the working of the Inebriates Acts so far as they relate to Scotland.

(Answered by Mr. Sinclair.) Yes, Sir. The Committee will be appointed very shortly.

**Civil Servants and Confidential Reports.**

MR. SWIFT MACNEILL (Donegal, S.): To ask the Secretary to the Treasury, whether, in view of the injury done to Government servants who have been compelled to retire from the Civil Service in consequence of false reports made in secret by superior officers under cover of confidential memoranda, His Majesty's Government will favourably consider the desirability of the creation of a board of appeal composed of three Privy Counsellors, or other persons of suitable qualifications, so that public servants, having no remedy for redress in the Courts owing to the plea of privilege raised on behalf of the Crown, may be able to submit cases of alleged tyranny and oppression to an independent tribunal competent to examine witnesses upon oath.

(Answered by Mr. Hobhouse.) I see no necessity for the appointment of such a body.

**Preparation of Return of Inland Revenue (Death Duties) Public-Houses.**

MR. WHITBREAD (Huntingdonshire, Huntingdon): To ask Mr. Chancellor of the Exchequer whether, since the issue of the Parliamentary Paper, Inland Revenue (Death Duties) Public-Houses,

dated 14th May, 1890, and previous to the passing of The Finance Act, 1894, any instructions, and, if so, what instructions, were issued altering the practice of the Inland Revenue Department, as set out in the Paper of 14th May, 1891.

(Answered by Mr. Lloyd-George.) No record can be traced of any instructions being given previous to 1894, altering the practice in force on the 14th May, 1890, in the Inland Revenue Department, in dealing, for Death Duty purposes, with the various interests connected with the sale of intoxicating liquors.

**Income-Tax Exemptions for Charitable Purposes.**

MR. R. PEARCE (Staffordshire, Leek): To ask Mr. Chancellor of the Exchequer what total amount was during the financial year ending 31st March, 1907, exempted from income-tax as devoted to charitable purposes in the legal sense.

(Answered by Mr. Lloyd-George.) The amount is £11,105,000.

**Indian Army—Gratuity for Qualifying as Interpreters.**

SIR SEYMOUR KING (Hull, Central): To ask the Under-Secretary of State for India whether, under War Office Regulations of 1908, officers of the British service are now eligible for pecuniary rewards upon qualifying as interpreters in modern foreign languages, whereas no rewards are granted by the Indian Military Regulations to officers of the Indian Army who similarly qualify as interpreters for European languages, except in Russia; whether, in July, 1908, Indian Army officers who passed, respectively, in German and in French were held to be debarred under existing rules from receiving the gratuity, whereas officers in the British service are eligible for all pecuniary rewards for passing in Oriental languages paid by the Government in India; and whether the Secretary of State will consider the advisability of admitting officers of the Indian Army to the same privilege in this respect as those enjoyed by British officers, with effect from the date of the War Office order introducing the new scale of rewards.

(Answered by Mr. Buchanan.) The facts are as indicated in the hon.

**Member's Question.** The Secretary of State will consult the Government of India as to the advisability of making officers of the Indian Army eligible for rewards for qualifying as interpreters in European languages other than Russian.

**Apportionment of Charges for Maintenance of British Army in India.**

**SIR SEYMOUR KING:** To ask the Under-Secretary of State for India whether, as the result of the consideration by the Committee which sat, under the presidency of Sir Robert Romer, on the question of the future apportionment between the Home and Indian Governments of the charges incurred in the United Kingdom in connection with the maintenance of the British Army in India, the Secretary of State has approved of the present payment by India to the War Office being increased by £300,000 a year from the 1st May, 1908; what direct representation of the interests of India, other than that afforded from the India Office, was furnished on the *per-sonal* of the Committee or examined as witnesses before it; and whether the Secretary of State will present the Report and Evidence of the Committee to Parliament, or, failing that, will agree to furnish a summary of the Report and Evidence to Parliament.

*(Answered by Mr. Buchanan.)* The recommendations of the Committee over which Sir Robert Romer presided dealt with questions of principle. On the basis of these recommendations the Secretary of State for India and the Secretary of State for War have arrived at an agreement that an additional payment of £300,000 a year shall be made, from 1st May, 1908, to cover the cost of the training of troops and other services connected with the maintenance of the British establishment in India. The representatives of India on the Committee were Sir John Edge, K.C., until recently a member of the Council of India, and Lieutenant-General Sir Beauchamp Duff, K.C.B., Chief of the Staff in India. The Committee did not examine witnesses. The Secretary of State does not propose to present the Report to Parliament.

**Sexton of Catholic Church residing at Lixnaw Boys' School.**

**MR. SLOAN (Belfast, S.):** To ask the Chief Secretary to the Lord-Lieutenant

of Ireland whether he is aware that Lixnaw boys' school, County Kerry, is partly occupied by the sexton of the managers' church, and that he refuses to quit the premises; and whether, seeing that it is a source of annoyance to the principal teacher, he will cause inquiries to be made with the view of having the man removed to other premises.

*(Answered by Mr. Birrell.)* The Commissioners of National Education inform me that in 1898 the then manager of the Lixnaw boys' national school gave possession to the clerk of the Catholic church of that part of the school premises which had formerly been used, but was not then being used, as a girls' school. It appears, however, that the premises have deteriorated by reason of the clerk's occupancy, and the Commissioners are therefore taking steps for the dispossession of the clerk.

**QUESTIONS IN THE HOUSE.**

**Naval Construction.**

**MR. ARTHUR LEE (Hampshire, Fareham):** I beg to ask the First Lord of the Admiralty what steps he has taken, or proposes to take, to expedite the commencement of the war vessels of this year's programme of new construction, both in the Royal Dockyards and private establishments; on what dates, approximately, does he anticipate that the one battleship, one large armoured cruiser, six fast protected cruisers, sixteen destroyers, and £500,000 worth of submarines will be laid down respectively; and will the necessary money be provided to complete these vessels at correspondingly earlier dates than were originally anticipated.

**THE FIRST LORD OF THE ADMIRALTY (Mr. McKenna, Monmouthshire, N.):** The tenders for the new torpedo boat destroyers are now under consideration. The battleship of this year's programme will be laid down in January, and the armoured cruiser in February next. One fast protected cruiser was laid down at Pembroke in June, 1908. The tenders for the other five fast protected cruisers which are to be built by contract will be received by 5th.



November. Work on the submarines begins next month. It is not at present expected that the dates for completion will be anticipated. Any requisite money will be provided for the completion of these vessels at the dates the Board may consider necessary.

MR. ARTHUR LEE asked if it was proposed that the vessels should be completed at an earlier period so as to give the Navy as well as the unemployed the benefit arising from expediting their laying down.

MR. McKENNA said that the expediting of the large battleship and cruiser was to such a small extent that it would not materially affect the final date for completion. The Admiralty did not at present contemplate an earlier date for the completion of the vessels.

#### H.M.S. "Gladiator."

MR. ARTHUR LEE: I beg to ask the First Lord of the Admiralty what has been the total cost to date of the operations in connection with the salvage of H.M.S. "Gladiator"; whether he proposes to incur the further expenditure that would be necessary if this vessel is to be restored to a state of fighting efficiency; and, if so, what is the estimated cost of her repairs and refit.

MR. McKENNA: The total cost to date is about £54,000. The course to be taken with the vessel will be decided when the estimated cost of repairing her is known.

MR. ARTHUR LEE asked whether the Admiralty would consider whether it was worth while to spend the large sum of money necessary to restore the vessel to fighting efficiency seeing that it was already obsolete.

MR. McKENNA said that he did not accept as accurate the statement of the hon. Member, but the Board of Admiralty would of course consider all the circumstances.

#### Naval Pensions.

MR. CARLILE (Hertfordshire, St. Albans): I beg to ask the First Lord of the Admiralty whether, in view of the decision to make weekly payments

through the post offices of the allowances under the Old-Age Pensions Act, he will consider the advisability of paying Navy pensioners their allowances weekly also, instead of quarterly, as at present.

MR. McKENNA: I must refer the hon. Member to the replies I gave to similar Questions in this House on Wednesday and Thursday in last week.

MR. CARLILE: Has any difference of opinion arisen between the Admiralty and the Treasury on this subject which accounts for the character of the Answer referred to?

MR. McKENNA: So far as I am aware, no communications have passed between the Admiralty and the Treasury on the subject.

MR. CARLILE: Will the right hon. Gentleman give the matter serious consideration in view of the reasons I have submitted to him?

MR. McKENNA: I have given most anxious consideration to the question. The boards of guardians are aware of my decision; yet so far none of them have communicated with me.

#### The New Battleships.

MR. BELLAIRS (Lynn Regis): I beg to ask the First Lord of the Admiralty whether he is aware that in September a statement purporting to be issued by the Admiralty was published giving for the new battleships now building of the "St. Vincent" class the armament in guns and torpedoes, the description of gun-mountings, and the number of rounds of ammunition supplied for each gun under the different headings of armour-piercing projectiles and common and lyddite shells, together with shrapnel for the 4-inch guns; and whether he can state if the publication of these details, hitherto regarded as confidential, was authorised by the Admiralty.

MR. McKENNA: The details given in the statement to which I take my hon. friend to refer are inaccurate, and their publication was unauthorised.

Dartmouth Naval College.

MR. BELLAIRS: I beg to ask the First Lord of the Admiralty whether he will consent to the publication of the Director of Naval Education's instructions to examiners by which the present system of education of naval cadets at Dartmouth is tested; and whether the Director of Naval Education under the Board of Admiralty is responsible for the system.

MR. McKENNA: The Answer to the first part of the hon. Member's Question is in the negative. The Director of Naval Education under the Board of Admiralty is responsible for the system of examination at Dartmouth.

\*MR. BELLAIRS: Is the right hon. Gentleman aware that some of the examination questions have leaked out to the cadets? Will he give me access to the instructions to the examiners?

MR. McKENNA: I am not aware of the alleged fact that the papers have been given to the cadets. I do not believe it can be true. I cannot give the hon. Member access to the instructions.

The Special Reserve.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War what is the present strength of the infantry of the Special Reserve in non-commissioned officers and men and how many of the men are under twenty years of age.

THE SECRETARY OF STATE FOR WAR (MR. HALDANE, Haddington): The strength of non-commissioned officers and men of the infantry of the Special Reserve on 1st October was 50,179, and of these 14,704 were under twenty years of age.

Attendance at Territorial Camps.

MR. ASHLEY: I beg to ask the Secretary of State for War how many officers, non-commissioned officers, and men of the Yeomanry attended the annual camp training this year; and how many officers, and non-commissioned officers, and men respectively of the other branches of the Territorial Force attended camp for fifteen days.

MR. HALDANE: The following are the numbers attending camp for fifteen days or over—

	Officers.	Non-commissioned Officers and Men.
Yeomanry* . . . . .	1,043	20,106
Royal Artillery . . . . .	704	12,882
Royal Engineers . . . . .	295	5,864
Infantry . . . . .	2,474	56,047
Army Service Corps . . . . .	88	1,891
Royal Army Medical Corps . . . . .	161	3,192
Total, including Yeomanry . . . . .	4,765	99,982

\*In addition, 13 Yeomanry Officers and 85 Non-commissioned Officers and Men attended Camp for less than 15 days.

MR. ASHLEY: Are we to understand that 99,000 men of the Territorial Force attended fifteen days in camp?

MR. HALDANE: More than that; if you include officers, 103,000.

**Army Statistics.**

MR. ARTHUR LEE: I beg to ask the Secretary of State for War if he will state the strength, both in officers and men, of the Regular Army serving with the colours on 1st October, 1905, and 1st October, 1908, respectively, giving in each case separate figures for cavalry, artillery, and infantry.

MR. HALDANE: Yes, Sir. The figures are too long to read out to the House, but I will have them printed with the Votes and Proceedings.

MR. ARTHUR LEE: Will the right hon. Gentleman state the general effect of the figures?

MR. HALDANE: The total strength as distinguished from establishment, was, on 1st October, 1905, 182,319, and on 1st October, 1908, 166,043. The difference is largely accounted for by the reduction in the Garrison Artillery.

MR. ARTHUR LEE: Will the Return show the difference in the numbers of the Reserve?

MR. HALDANE: The number of Reservists was just now much above the normal. It is higher than in 1905.

MR. ASHLEY: Is not the increase due entirely to the policy of the late Government?

MR. HALDANE: The increase in the Reserve is in part due to the three years system.

**Strength of the Territorial Army.**

MR. ARTHUR LEE: I beg to ask the Secretary of State for War what was the total enlisted strength of the Territorial Army, as compared with its establishment, on 1st October, 1908.

MR. HALDANE: The figures for non-commissioned officers and men on 1st October, are as follows: Establishment, 302,199; strength, 188,781.

**The Special Reserve.**

MR. ARTHUR LEE: I beg to ask the Secretary of State for War what is the present strength of the Special Reserve,

as compared with its establishment; how many of the men already enlisted in the Special Reserve have either joined, or announced their intention of joining, the Regular Army; and what approximate number of vacancies in the Special Reserve does he anticipate will be available for recruits from the ranks of the unemployed during the coming winter.

MR. HALDANE: The strength of the Special Reserve (all arms) on 1st October was 61,291, out of an establishment of 77,089. 3,951 men had joined the Regular Army by 1st October. It is not possible to say how many men intend to join the Regular Army, as they are not asked on joining the Reserve whether they intend to join the Regular Army. Taking into calculation the probable wastage, it may be estimated that there will be room for about 24,000 being gradually taken during the winter.

**Army Horses.**

MR. ASHLEY: I beg to ask the Secretary of State for War what sums are annually provided by the United Kingdom, Germany, France, and Austria, respectively, to encourage the breeding of horses suitable for Army purposes.

MR. HALDANE: No funds are at present provided from the Army Estimates of the United Kingdom for these purposes. As regards Germany, the estimated expenditure for 1908-9 for Prussia is about £160,000, and for Saxony £11,000; the figures for Wurtemberg and Bavaria are not available. As regards Austria-Hungary, the annual expenditure is about £300,000. As regards France, about £100,000 is spent annually.

MR. ASHLEY: Can the right hon. Gentleman say definitely what steps are being taken to increase the supply of horses for the Army?

\*MR. SPEAKER: Notice should be given of that Question.

**Annual Cost of a Soldier.**

MR. ASHLEY: I beg to ask the Secretary of State for War what is the annual cost of a cavalry soldier of the Line serving at home, and of an infantry soldier, respectively.

**MR. HALDANE :** The average annual cost, including charges for barracks, arms, ammunition, etc., of a trained private soldier at home amounts to £61 17s. 2d. for cavalry of the Line, and £57 6s. 4d. for infantry of the Line.

### **Army Balloons.**

**MR. ASHLEY :** I beg to ask the Secretary of State for War whether, in view of the fact that the expenditure on balloon work in 1903-4 was £14,600, and the estimated expenditure for 1908-9 for both balloon and airship construction is only £13,750, he will state what steps he proposes to take to place this country in a position of equality with France and Germany, who are spending large sums of money on aeronautical work.

**MR. HALDANE :** Sufficient funds have been provided this year for such experimental work as is considered necessary. The amounts which are expended on experimental aeronautical work at the present time by Germany and France cannot be accepted as a standard of what is desirable for this country to spend.

### **The Cavalry.**

**MR. ASHLEY :** I beg to ask the Secretary of State for War why 10,349 men of the Regular Army at home were classified as cavalry soldiers on 1st October, 1907, in view of the fact that there were only 7,412 horses and mules on the regimental strength of the cavalry regiments in this country.

**MR. HALDANE :** Every cavalry regiment has an establishment of men in excess of that of horses—and this is the case in foreign armies. The peace establishment of horses is practically identical with the war establishment. The peace establishment of men includes recruits and other persons who for obvious reasons do not require individual mounts. The men are, however, all being trained as cavalry soldiers, and therefore are rightly classified as such.

**MR. ASHLEY :** But in foreign armies are there only two horses for every three men?

**MR. HALDANE :** I do not think that arises out of the Question on the Paper.

### **Weekly Payment of Army Pensions.**

**MR. CARLILE :** I beg to ask the Secretary of State for War whether, in view of the decision to make weekly payments through the Post Offices of the allowances under the Old-Age Pensions Act, he will consider the advisability of paying Army pensioners their allowances weekly also, instead of quarterly, as at present.

**MR. HALDANE :** Will the hon. Member kindly refer to my reply to a similar Question put by the hon. Member for the Isle of Wight Division of Hampshire on the 14th instant?

**MR. CARLILE :** Is the right hon. Gentleman prepared to consider a general extension of the principle of weekly payment, in view of the terrible temptation to intemperance arising under the present system?

**MR. HALDANE :** We have extended the system very much lately in that direction. But there is a very great difference of opinion as to whether it is desired by the men themselves.

**MR. CARLILE :** But do not boards of guardians say it would be a great benefit?

**MR. HALDANE :** Well, we have enabled boards of guardians to draw the money and pay it out weekly to men who have resort to the Poor Law.

**\*MR. BYLES (Salford, N.) :** Is there not ample evidence at the War Office that the payment of pensions in large sums quarterly is a positive misfortune to a considerable percentage of those who receive them?

**MR. HALDANE :** We have dealt with those cases by enabling the guardians to pay the pensions out weekly where it is desired.

**MR. BYLES :** And I can assure the right hon. Gentleman that that privilege is very much appreciated.

### **Case of Captain E. B. Wilson.**

**MR. GEORGE ROBERTS (Norwich) :** I beg to ask the Secretary of State for War whether Captain E. B. Wilson, 5th Lancers, who was gazetted in

November, 1907, as placed on half-pay, was allowed to retain his appointment as Superintendent of Gymnasia, Northern Command; whether it is usual for an officer on half-pay to continue in such an important position; whether Captain Wilson regularly appeared in the monthly Army List up to and including August, 1908, as holding the appointment, though never being near the gymnasia nor performing any single duty in connection with the post of superintendent during the whole nine months; whether Captain Wilson received full pay during that period; and, if so, what action the Secretary of State proposes to take in the matter.

MR. HALDANE: He was allowed to retain his appointment up to 24th March, 1908, when he was removed from his appointment. So far as officers on half-pay are concerned, it is quite usual to give them appointments on the staff. Although he was removed from his appointment on 24th March, 1908, Captain Wilson's name continued to appear in the Army List, through a clerical error, as holding the appointment up to August, 1908. He, however, did no duty in connection with the post of Superintendent of Gymnasia after 24th March. Through an error made by the Army agents, Captain Wilson has been credited with the pay of his appointment from 25th March to 31st August. The over-issue of pay is in course of recovery.

#### **Army Discharges and Unemployment.**

MR. G. GOOCH (Bath): I beg to ask the Secretary of State for War whether his attention has been called to the assertion that his policy of Army reduction has turned thousands of men into the streets; and whether he can inform the House how many men belonging to the disbanded units have been dismissed from the Army.

MR. HALDANE: I am aware that some highly mendacious statements to this effect have been recently made. No men belonging to the disbanded units were dismissed from the Army. Those who did not complete their service in their units were either posted or voluntarily transferred to other units or transferred to the Reserve at their own

request on guarantee of obtaining employment.

#### **London District Command.**

MR. ASHLEY: I beg to ask the Secretary of State of War whether there is any intention to abolish the London district command; and, if so, into what command will it be absorbed.

MR. HALDANE: No, Sir. There is no such intention.

#### **Lee-Enfield Bullet Velocity.**

MR. PIKE PEASE (Darlington): I beg to ask the Secretary of State for War seeing that a muzzle velocity of 2,600 feet per second can be obtained in the short Lee-Enfield rifle with a 150-grains bullet without exceeding the pressure which the breech action is amply strong enough to stand, why the ammunition now supplied to the British Army gives only 2,060 feet per second as against the 2,900 feet per second given by the ammunition used in the German Army and the 2,650 feet per second by that used in the United States Army.

MR. HALDANE: The pattern of cartridge is still under consideration. There are many other details to be considered besides the velocity.

MR. PIKE PEASE: I beg to ask the Secretary of State for War how many tons of pressure are exerted on the breech action of the Lee-Enfield rifle by the ammunition now supplied by the Army; and how many tons of pressure would be exerted by a cartridge giving a muzzle velocity of 2,600 feet per second.

MR. HALDANE: The present ammunition exerts a mean pressure not exceeding  $16\frac{1}{2}$  tons at  $60^\circ$ ; a cartridge giving a muzzle velocity of 2,600 feet seconds would exert a mean pressure not exceeding  $18\frac{1}{4}$  tons at  $60^\circ$  and  $19\frac{1}{4}$  tons at  $120^\circ$ . The maximum for any individual round is  $\frac{1}{2}$  ton higher in each case.

#### **Lee-Enfield Rifles.**

MR. PIKE PEASE: I beg to ask the Secretary of State for War whether a muzzle velocity of 2,600 feet per second can be obtained in the short Lee-Enfield rifle without rapid deterioration of the



breech bolt and without exposing the user of the rifle to serious risk of accident by the blowing out of the bolt.

I beg also to ask the Secretary of State for War whether he himself, or one of his expert advisers, will give a practical demonstration of the strength of the breech action of the Lee-Enfield rifle by firing fifty rounds of an ammunition giving a muzzle velocity of 2,600 feet per second.

**MR. HALDANE:** In reply to this and the next Question, I would inform the hon. Member that exhaustive trials are still in progress under the expert advisers of the Army Council.

#### **Sisal Bulbilles.**

**\*MR. REES (Montgomery Boroughs):** I beg to ask the Under-Secretary of State for the Colonies whether the Government of German East Africa has imposed an export duty of 1,000 per cent. on sisal bulbilles in order to ensure to that Colony the exclusive advantage of an early start in the cultivation of sisal; whether such action does not necessarily prejudice the development of sisal plantations in adjoining British territory; and, if so, whether any action can be taken to procure equal treatment for British planters.

**THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby):** The attention of the Secretary of State has been called to the export duty to which my hon. friend refers, and which no doubt to some extent prejudices the development of sisal plantations in British territory; but it did not appear to be a matter in which His Majesty's Government could properly make official representations to the German Government.

#### **Settlement of British East Africa.**

**\*MR. REES:** I beg to ask the Under-Secretary of State for the Colonies whether the natives of the adjacent lowlands of British East Africa ever affected a permanent occupation of the uplands of that Protectorate; and, if not, whether the Government proposes to give European settlers in this region such preferential rights as are usually conceded

to pioneers and settlers in previously undeveloped territories.

**COLONEL SEELY:** I am not quite clear as to the nature or extent of the preferential rights to which my hon. friend refers. It is true that there is much land in the uplands which has not been in permanent occupation by natives, but His Majesty's Government cannot admit that the rights of the natives are confined to land which they have occupied permanently. It is the policy of His Majesty's Government to secure to the native tribes of the East Africa Protectorate such a proportion of the land which they have occupied, whether temporary or permanently, in the past, as will not only be adequate to their present requirements but will allow a reasonable margin for a future increase in their numbers; and it is only the land remaining after these conditions have been fulfilled that can be regarded as available for European settlement.

**\*MR. REES:** Does not that include a greater part of these uplands?

**COLONEL SEELY:** I cannot say without notice.

#### **British Shipping and East Africa.**

**MR. REES:** I beg to ask the Under-Secretary of State for the Colonies whether in view of the recommendations of the Committee on Shipping Subsidies of 1900 and of the fact that the primary objects of the German East Africa Steamship Company are to develop German East Africa and to promote German trade, in pursuance of which purposes its mail steamers call at one British, and at three German, East African ports, the Government will consider the urgent necessity which exists for subsidising a British mail service on the East African coast to serve Port Sudan, Berbera, Kismayu, Lamu Malindi, Mombasa, Zanzibar, Chinde, Beira, and Lorenzo Marquez, all of which are either British ports or serve the trade of British Colonies.

**COLONEL SEELY:** His Majesty's Government are anxious to secure, if possible, an improved service in British Steamships between this country and

East Africa, and negotiations are in progress on the subject. I regret that I am not at present in a position to say more.

#### **Orange River Colony Land Bill.**

SIR GILBERT PARKER (Gravesend) : I beg to ask the Under-Secretary of State for the Colonies whether the Bill, passed by the Orange River Colony Legislature, dealing with the employment of natives, their occupation of land and half-profit farming, was considered by this Government, and has received the assent of the Crown.

COLONEL SEELY : I have seen the terms of the Bill which has been passed and reserved by the Governor for the signification of His Majesty's pleasure, but it has not yet been formally submitted.

SIR GILBERT PARKER : Have the Government taken into consideration the fact that this Bill will practically compel the natives either to become servants in the Colony, or to retire with their cattle to the already overcrowded reservation ? Will that not impede the progress of civilisation ?

COLONEL SEELY : Different views are entertained with regard to the effect of this Bill, but I think it would not be wise for me to make a statement on behalf of the Government until the Bill has been submitted here.

#### **British Indians in the Transvaal.**

DR. RUTHERFORD (Middlesex, Brentford) : I beg to ask the Under-Secretary of State for the Colonies whether he has received complaints in regard to the character of the diet given to British-Indians imprisoned in the Transvaal for refusing to comply with the registration law ; and, if so, will he say what action he proposes to take in the matter.

COLONEL SEELY : Yes, Sir, the Secretary of State has received complaints and he is now in communication with the Transvaal Government on the subject.

DR. RUTHERFORD : How many men are affected by this ?

COLONEL SEELY : I should like notice of that Question.

#### **Orange River Colony Loan.**

SIR GILBERT PARKER : I beg to ask the Under-Secretary of State for the Colonies whether the Orange River Colony intends to float a new loan of £1,500,000, which will include the establishment of a fund for Dutch people in necessitous circumstances, to the amount of £750,000, together with a Government land settlement scheme representing £65,000, and a Church Industrial Colony for poor whites representing £27,500 ; and whether it is the intention of this Government to guarantee the loan.

COLONEL SEELY : The Orange River Colony Legislature passed a Bill last session to authorise a loan for £1,500,000, for various purposes, some of which are referred to in this Question. It was proposed to allocate £750,000 of this sum to the establishment of a fund for assistance by way of loans to those in necessitous circumstances, and for the promotion and assistance of farming and industrial undertakings in accordance with a resolution adopted by the House of Assembly. But there was no indication either in the Bill or in the debates on the Bill that the benefits of this loan should be confined to those of His Majesty's subjects who are of Dutch descent, and the Secretary of State regrets that the suggestion should have been made from here. There has been no official request from the Orange River Colony Government for an Imperial guarantee, and until such request is made I am not in a position to make any statement.

In reply to a remark by Sir GILBERT PARKER, the purport of which did not reach the Gallery—

COLONEL SEELY said : I at once accept the hon. Member's disclaimer. It is undesirable to inflame racial feeling in South Africa.

#### **Animal-Traps in Lagos.**

MR. JOYNSON-HICKS (Manchester, N.W.) : I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to the duty of 1s. each recently imposed on animal traps imported into Lagos ; whether he is aware that this duty was imposed without the slightest notice being

given, and that large quantities of traps manufactured in Lancashire were actually on the sea at the time such tax was imposed; and whether he will take steps to secure the reduction of this duty, which is about 200 per cent. of the value of the articles, at all events in respect of those consignments which were dispatched from England before the notification of the duty was promulgated.

**COLONEL SEELY:** The duty of 1s. each on iron-toothed spring traps imported into Southern Nigeria was imposed not to raise revenue, but to check the importation of the traps, owing to the cruelty attending their use to which the attention of the Governor had been called. It is reported for instance, that round Ibadan probably from 40 to 50 per cent. of the bush-fowl shot have only one leg, the other having been torn off in a trap. I do not know what quantities of traps were actually on the sea at the time when the duty was imposed. It was imposed without notice in accordance with the usual practice, and I am afraid that it would now be impracticable to allow any traps to come in at a reduced rate of duty.

**MR. JOYNSON-HICKS:** If representations are received from the British Consul on the subject will they be considered?

**COLONEL SEELY:** I must remind the hon. Member that 40 to 50 per cent. of the bush-fowl shot are found to have only one leg, and that is a serious matter.

**MR. JOYNSON-HICKS:** Are the traps not largely used for rats?

**MR. MARKHAM** (Nottinghamshire, Mansfield) was understood to ask if like restrictions could not be placed on imports of gin.

**COLONEL SEELY:** That shall be considered.

#### South African Constabulary.

**MR. JOYNSON-HICKS:** I beg to ask the Under-Secretary of State for the Colonies whether he is aware that the Transvaal Government Gazette of 17th July, 1908, contained the dismissal of

no less than fourteen English officers of the South African Constabulary, many of whom had served their country with distinction during the war, upon the ground of reduction of establishment; whether several of those posts, in spite of the contemplated reduction, were immediately filled by Boers; and, if so, what steps he proposes to take in the matter.

**COLONEL SEELY:** Yes, Sir, I have seen the *Gazette* notice referred to, which was concerned with a reduction of establishment considered to be necessary by those responsible. The Question, if I may be allowed to say so, conveys a somewhat unmerited reflection on the Transvaal Government, who are alone competent, subject to the control of their Parliament, to judge of the necessity of such reductions, and who have not, I think, exhibited the animus against English officers which the Question seems to imply. The *Gazette* of 29th July, contains a long list of appointments under the recent Police Act, and I observe that more than three-quarters of the names, including the Commissioner, are of officers of British extraction. The hon. Member will probably admit that it is not unreasonable in reorganising a police force, which will be brought into contact with Dutch-speaking people, to appoint some officers of Dutch extraction.

**SIR GILBERT PARKER** asked whether the hon. Member could give the House the information which he evidently possessed.

**COLONEL SEELY:** I do not know what the hon. Member refers to.

**SIR GILBERT PARKER** said it was with reference to the Transvaal Civil Service.

**COLONEL SEELY:** As I stated the other day, I hope to lay a full Return in the course of a few days, about the 22nd. With regard to the information in the answer, if hon. Members will come to the Colonial Office, I shall be able to convince them of the truth of the statement therein made that the vast majority of the men now in the constabulary are Englishmen.

MR. JOYNSON-HICKS: But have any posts that have been closed by retrenchment since been filled up by the appointment of Boers?

COLONEL SEELY said that the Government proposed to take no steps, and as to the retrenched officers he would be glad to give any information to the hon. Member. He was bound to point out to the hon. Member that the Chief Commissioner of Police was an Englishman who had fought throughout the war, and he had succeeded a Dutchman.

MR. JOYNSON-HICKS: If I can give the hon. Gentleman information——

\*MR. SPEAKER: Notice must be given of any further Questions.

#### Opium Consumption in Hong-Kong.

MR. THEODORE TAYLOR (Lancashire, Radcliffe): I beg to ask the Under-Secretary of State for the Colonies whether he has any official information showing that the Chinese inhabitants of Hong-Kong are afraid to form anti-opium societies because of the belief that the British authorities are opposed to such action; whether he is aware that the encouragement of such societies is one of the Chinese Government's methods of reform among their own people; and whether the Secretary of State will give instructions to the Government of Hong-Kong to encourage and aid such societies by every means in their power.

COLONEL SEELY: The Answer to the first part of my hon. friend's Question is in the negative. The attitude of His Majesty's Government on the opium question is well known in Hong-Kong, and the Secretary of State therefore sees no reason to issue instructions to the Colonial Government, but a copy of the Question and of my reply shall be sent to the Governor.

MR. THEODORE TAYLOR: Will the hon. Gentleman cause inquiry to be made as to whether there is any truth in the allegation?

COLONEL SEELY: Certainly, we will inquire.

#### Hong-Kong Opium Dens.

MR. THEODORE TAYLOR: I beg to ask the Under-Secretary of State for the Colonies how far the Secretary of State for the Colonies' telegraphic instructions, dated 5th May last, to the Governor of Hong-Kong to close the opium dens there have been carried into effect.

COLONEL SEELY: The Governor's proposals are under the consideration of the Secretary of State who hopes shortly to be in a position to give his decision upon them.

MR. THEODORE TAYLOR: Am I to take it that, although five months have already elapsed, nothing has been done in Hong-Kong?

COLONEL SEELY: On the contrary a great deal has been considered, and a great deal done.

#### The Case of Mr. Luxenburg.

CAPTAIN CRAIG (Down, E.): I beg to ask the Secretary of State for Foreign Affairs whether he is now in a position to state the result of his appeal to the Russian Government for compensation to Mr. N. Luxenburg for wrongful arrest and imprisonment; and if he will take the opportunity of the presence in this country of the Russian Minister for Foreign Affairs to lay before him a report of the whole case with a view to favourable consideration by His Excellency.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. J. A. PEASE, Essex, Saffron Walden): It was not possible to discuss this matter with the Russian Minister for Foreign Affairs during his visit to this country; but a Note, laying the circumstances before the Russian Government, was sent last month, to which a reply has not yet been received.

#### Old-Age Pension Officers.

MR. VERNEY (Buckinghamshire, N.): I beg to ask the First Lord of the Treasury when the appointments will be made by the Treasury of pension officers under Section 8, subsection 4, of the Old-Age Pensions Act, 1908; and whether, in view of the shortness of



the time left for the necessary preliminary work by local authorities in connection with this Act, he will take steps to have these appointments made with the least possible delay.

**THE CHANCELLOR OF THE EXCHEQUER** (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The appointments in question were made on the 2nd instant.

#### Bow Trams.

**MR. B. S. STRAUS** (Tower Hamlets, Mile End): I beg to ask the President of the Board of Trade whether he has decided to issue a new licence to the London County Council to run trams on the stud system from Aldgate to Bow, as the present provisional licence was only granted for six months; and whether he is aware that the London County Council have had an expert's opinion upon the present studs, which states that even had the line been laid exactly similar to the one at Lincoln the difficulties and dangers that have occurred would have been much the same.

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. CHURCHILL, Dundee): No application has been received from the County Council for a renewal of the sanction provisionally given to the working of the stud system for six months. I have no information as to the matter referred to in the last part of the Question.

**MR. B. S. STRAUS**: Am I to understand that the Board of Trade will not give a full certificate until they are satisfied that the electric system which the London County Council intend to use is quite safe?

**MR. CHURCHILL**: I think I can say that—with all necessary reserve.

#### Copyright.

**MR. RAMSAY MACDONALD** (Leicester): I beg to ask the President of the Board of Trade why the proposed alterations to the Berne Convention regarding copyright have not been issued in this country by his Department; why, when information on the subject was given, it

was in the form of a document printed in French and was accompanied by a request that it should be treated as confidential; whether he is aware that this document was issued as a public document by certain foreign Governments; and whether any alterations made by the Conference sitting in Berlin will be submitted to this House before being accepted by the Government.

**MR. CHURCHILL**: The proposed amendments to the Berne Convention were communicated to a number of societies and persons interested in the questions to be discussed, and their criticisms were invited and obtained. The proposals were naturally communicated in the form in which they were received from the International Union, but if the hon. Member so desires I will cause a translation to be issued. I was not aware that any foreign Government had actually published the document, and I do not think that such a step is in accordance with the practice generally pursued in the case of the previous Conferences. Any alterations of the existing law in this country to give effect to amendments of the Convention must of necessity be submitted to Parliament in the form of a Bill.

**MR. COOPER** (Southwark, Bermondsey): I beg to ask the President of the Board of Trade whether the Board of Trade declined to give to persons whose interests would be seriously affected any copy of the document giving the alterations proposed to be made in the articles of the Berne Convention at the International Copyright Convention at Berlin; whether, after repeated applications, the Board of Trade gave to a limited number of persons a copy of the alterations on the understanding that it should be treated as private and confidential; whether he can state the reason why these English applicants have been given a document drawn up in French; whether the Berne officials on inquiry informed the Board of Trade that they had no objection to the Board of Trade issuing an English translation of the alterations proposed; and, as the Congress is now sitting, will he state where copies of this English translation can be obtained.



**MR. CHURCHILL:** Part of this Question is covered by the Answer I have just given to my hon. friend the Member for Leicester. I am not aware that a copy of the proposals has been refused to any person or body directly affected, but if my hon. friend will give me particulars of any case which he has in mind I will give the matter my consideration. The statement as to the International Bureau is not correct. The Bureau informed the Board of Trade that it was not within their competence to prescribe the limits within which the proposals should be made public, but that so far as they were aware on the occasion of the previous Conference the amendments, though known to the parties interested, were not made public in the Press before the Conference assembled.

**MR. COOPER:** I beg to ask the President of the Board of Trade whether the British delegates to the International Copyright Convention at Berlin will be given the power to decide whether the editions of foreign works lawfully produced shall be destroyed; whether they will be given the power to decide that the period of copyright in Great Britain shall be extended; and whether, if any alteration of the copyright law be agreed upon, any opportunity will be given for discussion before an Order in Council is made.

**MR. CHURCHILL:** The British delegates at the International Copyright Conference at Berlin have no power to bind His Majesty's Government to any amendment of the law of copyright, and it has been explained to the other delegates that any provisional assent which they may give to any proposed amendment or revision of the International Copyright Convention must not be held to imply that Great Britain will be able eventually to adhere and give effect to such alteration. The last part of the Question is covered by my previous Answer to my hon. friend the Member for Leicester.

**\*MR. BYLES:** May we then understand that the British law as to copyright cannot be altered without the consent of the House of Commons.

**MR. CHURCHILL:** Yes, Sir.

### The Wreck of the "Argonaut."

**MR. HERBERT** (Buckinghamshire, Wycombe): I beg to ask the President of the Board of Trade whether there is any Board of Trade regulation requiring passenger vessels to be provided with lifeboat accommodation for as many passengers as they are capable of carrying; and whether he is aware that the "Argonaut," which was capable of carrying 200 passengers, had on board only 108 passengers when she sank the other day, yet that all the boats were full, so that if she had had her full complement of passengers on board a large number of people would have been unprovided for; and will he say who is responsible for this state of affairs.

**MR. CHURCHILL:** There is no regulation requiring lifeboat accommodation to be provided for every person on board every passenger vessel, and I am advised that it would not be practicable in the case of very large vessels to carry the number of boats that such a regulation would require. The "Argonaut," however, which was certified to carry 338 persons in all, had at the survey held immediately before the last voyage boat accommodation for 378. The statement that all the boats were full, though there were only 108 passengers on board, will be investigated at the public inquiry which is to be held in the case.

### Tuberculosis.

**MR. ABEL SMITH** (Hertfordshire, Hertford): I beg to ask the Prime Minister whether he will be prepared to announce at an early date whether or not the Government is prepared to adopt the recommendations of the Select Committee on Tuberculosis as to compensation for carcasses condemned as tuberculous.

**MR. COURTHOPE** (Sussex, Rye): May I also ask Mr. Chancellor of the Exchequer whether, in view of the demand of the Butchers' Federation from every vendor of cattle for a warranty of immunity from a disease which cannot be accurately diagnosed prior to slaughter, and to the general feeling expressed by the agricultural community that any loss incurred by them in consequence thereof should be borne either in whole by the Exchequer or, as recommended

by the Select Committee on Tuberculosis of 1904, as to one-half, he will say definitely whether His Majesty's Government are prepared to entertain such a proposal, in order that the farmers may be in a position to know how to deal with this novel demand on the part of the butchers.

**MR. BRIDGEMAN** (Shropshire, Oswestry): May I also ask Mr. Chancellor of the Exchequer if his attention has been called to the decision of the National Federation of Meat Sellers not to buy cattle without guarantee from the farmers, and to the hardship which would be inflicted upon farmers by giving such guarantee; and if he will provide that part of the compensation for an animal condemned by the inspectors after slaughter as tuberculous shall be paid out of public funds.

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. JOHN BURNS, Battersea): Legislation would be necessary to give effect to the suggestion made in these Questions, and I am not in a position to promise that such legislation will be proposed by the Government.

#### Cirencester Vaccination Case.

**MR. LUPTON** (Lincolnshire, Sleaford): I beg to ask the President of the Local Government Board if a medical officer, on behalf of the Local Government Board, has inquired into the cases of children vaccinated by Dr. Cossham, of Dyer Street, Cirencester, and if he ascertained that the result of the vaccination in the case of three or more children has been to cause terrible sores, eating the flesh to the bone; and if, in consequence of these and other similar cases, the quality of the lymph supplied by the Local Government Board has been changed.

**MR. JOHN BURNS**: Three instances at Cirencester which called for inquiry were investigated by one of the medical inspectors of the Local Government Board. In two of them the vaccination places were long in healing, but the symptoms were not of a serious character. A large number of children were vaccinated from the lymphs used in these cases respectively without any such symptoms,

and the evidence indicates that in these two cases secondary contamination of the vaccination places occurred. In the third case there was deep ulceration at the site of vaccination. This, however, did not begin to show itself till subsequently to the ninth day after vaccination, and no adverse report has reached the Local Government Board in respect of any of the thousand or more children vaccinated from the same lymph as that used in this instance, although reports are required in each case. The home of the child was insanitary and overcrowded, and it appears to be clear that the vaccination places were secondarily infected by septic material. I am not aware of any need for changing the quality of the lymph issued by the Board.

**MR. LUPTON**: Has not the quality of the lymph been recently altered, and will the right hon. Gentleman issue instructions that vaccination shall not be performed in unhealthy places?

**MR. JOHN BURNS**: In no one department has absolute perfection yet been reached, and we try to improve on the best every day?

**MR. CROYDON MARKS** (Cornwall, Launceston): Is the Department satisfied that in this case the unsatisfactory symptoms developed through the insanitary condition of the place?

**MR. JOHN BURNS**: Yes, our officers reported that the development was due to uncleanness.

#### Mile End Guardians Scandal.

**\*MR. REES**: I beg to ask the President of the Local Government Board whether he can give the House the results of the trials of the Mile End Guardians, and the total results of the inquiries he instituted; and whether, in view of the scandals existing under the present system which he has brought to light, the Government will consider the propriety of restoring the *ex-officio* guardians.

**MR. JOHN BURNS**: I directed an inquiry by Mr. Willis, one of the Inspectors of the Local Government Board, as to the proceedings of the Mile End Guardians. On receiving his Report I forwarded the

papers to the Public Prosecutor, who took proceedings against two contractors and ten guardians and ex-guardians. One of the contractors was acquitted, and one of the guardians absconded. The rest were convicted; one was fined, and the others were sentenced to various terms of imprisonment. The expenditure of the Mile End Guardians has shown a substantial reduction since the proceedings in connection with the inquiry were commenced, but it is not possible at present to estimate the total results of this and the other inquiries which I have instituted. The question of the constitution of boards of guardians will be a matter for consideration when the Report of the Poor Law Commission has been received.

MR. PIKE PEASE asked when the Report of the Poor Law Commission would be received.

MR. JOHN BURNS said he expected it in November or December. The Commission were very anxious to present it at the earliest possible date.

MR. H. C. LEA (St. Pancras, E.): Has the right hon. Gentleman taken any steps to ascertain from various boards of guardians throughout the country whether any similar scandals are obtaining as in the case of Mile End and Poplar, and, if so, what are the results of his inquiry?

MR. JOHN BURNS: I can assure the House that the Local Government Board is keeping its eye on every body throughout the country.

MR. H. C. LEA: Except the unemployed.

#### **The National Telephone Company.**

MR. B. S. STRAUS: I beg to ask the Postmaster-General whether he is aware that, owing to the Government shortly completing the purchase of the National Telephone Company's undertaking, hundreds of men have been discharged; and whether he is prepared to take some action in the matter, in view of the fact that 6,000 further discharges are threatened.

The following Questions on the same subject also appeared on the paper:—

MR. WATT (Glasgow, College): To ask the Postmaster-General whether he is aware that about 6,000 men (many of whom are resident in Glasgow) of the National Telephone Company are being dismissed by that Company on account of the fact that satisfactory arrangements cannot be made between his Department and the Company as to the taking over of plant in January, 1912; that unemployment in Glasgow is widespread, and that the addition of these skilled workmen to the number is a serious matter; and whether, in view of the fact that these workmen will be wanted by his Department at a time when they have become scattered over the country, he will make an arrangement with the Telephone Company to prevent their dismissal.

MR. HART-DAVIES (Hackney, N.): To ask the Postmaster-General whether he is aware that the National Telephone Company have suspended all new constructional work owing to the approaching acquisition of the telephone service by the Government, and that in consequence there have been, and will be, extensive dismissals of telephone employees, amounting before 1911 to about 6,000, according to the figures of the President of the Company; and whether some means could be devised by which the capital expenditure of the Company could be controlled by the Government during the few remaining years of the Company's existence, and the value refunded on the acquisition of the system by the Government, so as to obviate this increase to the general want of employment in the country.

SIR G. KEKEWICH (Exeter): To ask the Postmaster-General whether in the negotiations that are proceeding between him and the National Telephone Company, he will secure that practically no man who is on the construction staff of the Company will be put out of employment in consequence of the pending transfer of the Company's plant to the Post Office; and whether he will also secure that no interruption shall

take place in telephone construction work and that it shall be carried on so as to provide as much employment as possible.

**MR. LUPTON:** To ask the Postmaster-General if, in view of the fact that the Post Office will take over the property of the National Telephone Company on 31st December, 1911, and that this circumstance is leading to the discharge of members of the staff of the Telephone Company's construction department, he will himself take in hand the new construction work that is required or authorise the Telephone Company so to do, so that these men may not join the ranks of the unemployed.

**MR. H. C. LEA:** To ask the Postmaster-General with reference to the transfer to his Department in 1911 of the business of the National Telephone Company, Limited, whether he is aware that the latter at the present time, by curtailing their staff and refusing extensions in every direction which are urgently demanded by the public, are seriously adding to the ranks of the unemployed; whether he can state how many of the present staff, 6,000, will be retained and how many dismissed between now and when the transfer matures; and, in the latter case, whether they will receive compensation or not.

**THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar):** Perhaps I may be allowed at the same time to answer all the Questions on this subject. It is not a fact that the National Telephone Company have suspended their construction work; but they have stated that it is not to their interest to undertake the construction of new plant which would not be likely to be brought into use before the end of their licence; and I have been informed by them that in consequence they will find it necessary to make some reductions in their construction staff. The question of providing for the proper development of the telephone system, and the continuation of the work of construction, has received careful consideration. Under an arrangement come to in the purchase agreement of 1905, considerable systems of underground wires have been, and are being,

constructed by the Post Office and leased to the Company on rental terms until 1911, so as to facilitate the due extension of the telephone system, while at the same time making provision by new construction to meet the public requirements after 1911. This policy is being pursued as actively as possible, and will to some extent meet the difficulty. I am at present discussing with the Company what further arrangements can be made, so that the necessary work of construction may be continued uninterruptedly. I may add that a special arrangement for the proper development of the telephone system in the Glasgow area by the Company and the Post Office in co-operation has been nearly completed. I understand from the Company that the discharges which have so far taken place, apart from those due to misconduct or incompetence, or to the termination of temporary employment or employment for certain special purposes, have been mainly caused by an exceptional falling off in orders obtained from the public consequent on the recent depression of business throughout the United Kingdom. Arrangements are being made to give employment in the Post Office Service to competent workmen discharged from the Company's service when they can be usefully employed. The whole question, which is a difficult one, is receiving the most careful consideration.

**MR. B. S. STRAUS** asked whether the right hon. Gentleman would see that the National Telephone Company did not scamp the necessary expenditure on capital account simply because of their agreement with the Government.

**MR. SYDNEY BUXTON** replied that under the terms according to which the system would be taken over all these circumstances would be taken into account, and if the Company scamped the work they would receive less money.

**MR. H. C. LEA** asked whether applications made to the Company for an extension of telephonic communication were being refused daily because the system was going to be taken over by the Post Office in 1911, and whether the right hon.



Gentleman would discourage the policy of discharging men to add to the ranks of the unemployed.

MR. SYDNEY BUXTON said that this point, as well as others, was covered. The Company so far had not found it necessary to discharge any of their constructive hands because of their refusal of orders; if men had been discharged it was through want of orders.

MR. CURRAN (Durham, Jarrow) asked how many servants of the Company had been discharged up to date, and how many of those who had been discharged had been employed by the Post Office.

MR. SYDNEY BUXTON said that he was in communication with the Company, but as yet he had not been furnished with full information.

MR. CURRAN asked whether it was possible for the right hon. Gentleman to enter into some arrangement with the Company to prevent further discharges owing to the state of the labour market.

MR. SYDNEY BUXTON: I am in communication with the Company, and I am very anxious to do what I can to prevent discharges.

MR. WATT asked whether it was not the case that the system was at present being starved on account of the arrangements made with the right hon. Gentleman and the Company.

MR. KEIR HARDIE (Merthyr Tydvil) asked whether it was not a fact that under the agreement of purchase there was a special provision made for the Post Office to take over the staff of the Company, and whether that clause had now come into operation.

MR. SYDNEY BUXTON: Until the agreement comes into force the clause does not operate.

MR. CHIOZZA MONEY (Paddington, N.) asked whether it was not the case that the Company were pursuing a deliberate policy of starving the system till 1911.

MR. SYDNEY BUXTON: That Question should be addressed to the Company and not to me.

MR. CHIOZZA MONEY: Is it not the right hon. Gentleman's concern whether the service is left in a state of efficiency or not?

MR. SYDNEY BUXTON said that any evidence brought before him to show that the service was not to be left in a state of efficiency would be considered.

\*MR. SPEAKER: Any further Question must be put down.

#### Aberdeen Mail Service.

MR. ESSLEMONT (Aberdeen, S.): I beg to ask the Postmaster-General whether his attention has been called to the dislocation of postal business which has been created by the recent action of the Caledonian and North British Railway Companies in changing the hours of departure of the evening mail trains from Aberdeen to the South; and what course he proposes to take in the matter.

MR. SYDNEY BUXTON: My attention has been drawn to this matter. The hours of these trains are not in any way under my control, but I have pointed out to the railway companies the great inconvenience to the public in the North of Scotland which has been caused by the alteration of the trains and the consequent alteration in the postal service; and I have asked them to consider whether they cannot revert to the former times of service.

#### North of Scotland Mail Service.

MR. DALZIEL (Kirkcaldy Burghs): I beg to ask the Postmaster-General whether the contract for carrying the 8 p.m. night mail from London to Edinburgh and the North of Scotland is with the London and North-Western and Caledonian Railways only, or whether any portion of the contract is with the North British Railway; and, if so, can he state to what part of that Company's system the contract applies.

MR. SYDNEY BUXTON: The great bulk of the mails for Scotland are conveyed by the special postal mail train.



which leaves London (Euston Station) at 8.30 p.m. and reaches Aberdeen at 7.35 a.m. This train is run under contracts with the London and North-Western and Caledonian Railway Companies. Some of the mails for Edinburgh and the North of Scotland are conveyed by the 8.25 p.m. train from King's Cross by the East Coast route, under the general contracts with the Great Northern, North-Eastern and North British Companies, but the hours of the train are fixed by the Companies concerned to suit their own traffic.

**MR. DALZIEL:** Do the North British Railway Company receive payment for carrying the mails from Edinburgh to Aberdeen?

**MR. SYDNEY BUXTON:** There is no specific subsidy for that, but there are fixed rates of payment; these give us no control over the trains.

**MR. DALZIEL:** Is the right hon. Gentleman aware that the train which carries the mails from Edinburgh to Aberdeen does not stop at many important centres, the letters for which are in consequence delayed at Edinburgh six hours. Cannot an arrangement be made for it to stop and leave the mails?

**MR. SYDNEY BUXTON:** I do not know to which train the hon. Member refers, but I shall be pleased to consider any representations he may send to me.

#### Central London Postmen's Duties.

**MR. HART-DAVIES:** I beg to ask the Postmaster-General whether orders have been passed which involve an attendance from 4 a.m. for the Central London postmen; and whether, seeing that the object of this change could have been equally attained by placing a comparatively small increase of the staff on midnight duty, 12 to 7 a.m., and the inconvenience caused to the general body of City postmen thus avoided, he proposes to take any action in the matter.

**MR. SYDNEY BUXTON:** In consequence of the great increase in the work, and the consequent delay in delivery it has become necessary in the interests of the public in the Eastern Central district

to arrange for a certain number of men to attend at 4.0 a.m. I regret that this is necessary, but I may mention that the new arrangement affects 238 only out of the 1,356 postmen in the district, and that, as a set off, the duties generally have been greatly improved by reductions in the number of separate attendances. The object of the change could not be secured by increasing the staff on duty from midnight to 7.0 a.m. as the work for which the men are required consists largely of preparing correspondence for delivery, and must necessarily be done by the men who are to perform the delivery. Men attending from midnight to 7.0 a.m. would be off duty before the delivery commenced and much of the correspondence concerned is not received until about 4.0 a.m. If this alteration is found to operate harshly in any individual case the matter will be favourably considered with a view to affording relief.

**MR. HART-DAVIES:** Does the change apply to any other postal districts in London?

**MR. SYDNEY BUXTON:** No, it specially affects E.C. A large number of people desire to have their letters earlier, and there seems no possible alternative to bringing on a certain staff of men earlier.

#### Irish Linen Industry.

**MR. LONSDALE (Armagh, Mid.):** I beg to ask the Vice-President of the Department of Agriculture (Ireland) whether he has yet been able to appoint linen inspectors for the purpose of protecting the Irish linen industry from fraud in the United Kingdom.

**THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. T. W. RUSSELL, Tyrone, S.):** The negotiations with the Linen Merchants' Association are not complete, but the matter is receiving attention.

**MR. LONSDALE:** What is the nature of the proposals?

**MR. T. W. RUSSELL:** I cannot say now.

### **The Government and Unemployment.**

MR. ARTHUR HENDERSON (Durham, Barnard Castle): I beg to ask the Prime Minister whether, in view of the amount of suffering caused by the present state of unemployment, he can now state what the Government proposes to do to alleviate the distress, and when a day can be given to discuss the subject.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): I propose to make a full and detailed statement on this subject on Wednesday, and as I am afraid it will be necessary for me to go beyond the ordinary limit of an Answer to a Question, I shall ask the permission of the House to make the statement at the end of Questions.

MR. ARTHUR HENDERSON: In view of the guillotine Motion being in operation, may I ask whether, in the event of the right hon. Gentleman's Answer not being satisfactory to my colleagues, the Government will be disposed to give us a day to consider the whole subject.

MR. ASQUITH: I am sanguine enough to hope that my Answer will be satisfactory. In the event of its not being so, having regard to the importance of the subject, the hon. Gentleman may be sure an opportunity will be given to consider it.

### **Scottish Education Bill.**

MR. EUGENE WASON (Clackmannan and Kinross): I beg to ask the Prime Minister if he can say when the Report stage of the Scottish Education Bill will be taken.

MR. ASQUITH: I cannot make any announcement as to the date at present; but I hope to be able to do so next month.

### **Military Charges on India.**

DR. RUTHERFORD: I beg to ask the Prime Minister whether he will give this House any opportunity of discussing the serious steps taken by the Government of India to charge the Indian taxpayers with an additional annual burden of £300,000 in accordance with the recent recommendation of the Committee on Army Charges.

MR. ASQUITH: No, Sir. I am afraid that no opportunity for such a discussion can be provided this session.

DR. RUTHERFORD: Is it not a matter of great interest to the Empire that this extra burden should be placed on India? Ought this House not to have an opportunity of discussing it?

MR. ASQUITH: There will be an opportunity next session.

### **Irish Land Finance.**

MR. WALTER LONG (Dublin, S.): I beg to ask the Prime Minister when he proposes to make his promised statement on Irish land finance.

MR. ASQUITH: I am unable to fix a date at present. Communications are daily passing between the Chief Secretary and the Chancellor of the Exchequer, and I hope a definite statement may be possible before the end of next week.

### **The Government and Home Rule.**

CAPTAIN CRAIG: I beg to ask the Prime Minister whether the statement of the President of the Board of Trade at Dundee on 9th October on the subject of Home Rule was made with the sanction of the Cabinet; and, if so, will a Bill be introduced dealing with the matter before the present Government go to the country.

MR. ASQUITH: The statement of my right hon. friend was made on his own responsibility. The policy of the Government has been clearly explained in the declarations made by me in the earlier part of the session, to which I have nothing to add.

CAPTAIN CRAIG: Will it be possible for the right hon. Gentleman and his colleagues to come to some agreement on this important subject, in view of the unrest and unsettlement which these electioneering speeches from Members of the Government cause among the law-abiding and respectable people in Ireland?

MR. ASQUITH: I am not aware of any difference of opinion amongst Members of the Government on this subject, and I am

afraid that nothing I can say will allay these feelings of apprehension and unrest.

**VISCOUNT HELMSLEY** (Yorkshire, N.R., Thirsk): If there is no difference of opinion between the right hon. Gentleman and the President of the Board of Trade, does the right hon. Gentleman endorse what the President of the Board of Trade has said?

**MR. ASQUITH**: There is no difference of opinion.

**MR. R. DUNCAN** (Lanarkshire, Govan): Are we to take it that when a Minister makes a rash statement, silence gives consent?

[No Answer was returned.]

#### BUSINESS OF THE HOUSE.

**MR. A. J. BALFOUR** (City of London) said he wished to ask the Prime Minister two questions having reference to the arrangement of business under the Closure Resolution. The right hon. Gentleman intended on Wednesday to make a statement of some length on the serious question of unemployment, and, as he understood, he had promised, if that statement was not satisfactory, to give an opportunity for its discussion. A lengthy statement, made in time taken out of their rather slender resources on the Licensing Bill, was of itself a rather serious interference with the rules which the right hon. Gentleman had himself laid down. He thought it might be taken as a matter of absolute certainty that the right hon. Gentleman's statement, whether satisfactory or not, would require commentary and discussion. The second question had reference to the Amendment put down on Friday in the name of the First Commissioner of Works in connection with off-licences, about which not a single word either had been or could be said. The first opportunity of discussing it must be on the Report stage, and he would ask whether the right hon. Gentleman did not think this fact necessitated some reconstruction of the department resolution when they came to the Report stage. The interests were very large.

**MR. ASQUITH** said he hoped his statement would not be at all a long one. It would be longer than an answer to a Question, and that was why he said what he did. But it would be as short as he could make it, and he did not think it would substantially encroach on the time allotted to the Licensing Bill. He thought it was almost impossible that any statement on this particular matter could be made without giving rise to a legitimate demand for discussion in some quarter, and he would see how that demand could best be met. With regard to the second question of the right hon. Gentleman, he would point out that the Amendment was carried without a division, without even a challenge. That, according to ordinary experience and use, would seem to show that it had the unanimous support of the House. He had never known a proposition to which exception was taken carried without a division, or even without a challenge. But he agreed that it was a matter of importance, and he would consider, between now and the Report stage whether it would not be possible, by remoulding, if necessary, the compartment procedure, to afford the House some opportunity of discussing it if there was a general disposition to do so.

#### SELECTION (STANDING COMMITTEES).

**SIR WILLIAM BRAMPTON GURDON** reported from the Committee of Selection: That they had discharged the following Member from Standing Committee B. (in respect of the Housing, Town Planning, etc., Bill): Mr. Byles; and had appointed in substitution (in respect of the said Bill): Mr. Acland Allen.

**SIR WILLIAM BRAMPTON GURDON** further reported from the Committee: That they had discharged the following Member from Standing Committee C. (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): Mr. Samuel Roberts; and had appointed in substitution (in respect of the said Bill): Mr. Du Cros.

**SIR WILLIAM BRAMPTON GURDON** fur-

Prevention Bill): Earl of Ronaldshay and Mr. Thomas Lorimer Corbett; and had appointed in substitution (in respect of the said Bill): Mr. Charles Craig and Lord Balcarres.

Reports to lie upon the Table.

#### CHILDREN BILL.

As amended (in the Standing Committee), further considered.

CAPTAIN CRAIG (Down, E.) moved the addition of the words in Clause 42 for the protection of children who might be sent by their parents or employers to fetch cigarettes from automatic machines. He said the words regarding the machines being "extensively used by children" were likely to give rise to a good deal of misunderstanding, as it was quite possible children might merely use them for others who were fully entitled to the use of them and not for themselves. In such a case no penalty ought to attach to the user. He, therefore, begged to move.

#### Amendment proposed—

"In page 24, line 4, after the word 'persons,' to insert the words 'for the purpose of obtaining cigarettes for his own use or that of other children or young persons.'"—(Captain Craig.)

Question proposed, "That those words be there inserted."

\*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) thought the matter was sufficiently covered by the clause, and the insertion of these words would unnecessarily complicate the working of the Bill. As a matter of fact these machines were not extensively used by children for the purpose of obtaining cigarettes for adults. He hoped the Amendment would not be pressed.

Amendment negatived.

#### Amendment proposed—

"In page 24, line 9, after the word 'order,' to insert the words 'Provided that any person aggrieved by such an order may appeal against it to a Court of Quarter Sessions.'"—(Lord R. Cecil.)

Question proposed, "That those words be there inserted."

\*MR. HERBERT SAMUEL said this appeal would probably be very seldom used, and for that reason it was not inserted in the Bill. But it was as well to allow the appeal, and he would, therefore, accept the Amendment.

MR. RAWLINSON (Cambridge University) asked whether the hon. Gentleman would extend the appeal to Section 39 (Penalty on selling tobacco to children and young persons).

\*MR. HERBERT SAMUEL said he would consider that.

Amendment agreed to.

#### Amendments proposed—

"In page 24, line 16, to leave out the words 'or purchase.'"

"In page 24, line 19, to leave out the words 'by whom they are bought.'"

"In page 24, line 21, after the word 'business,' to insert the words 'or was a uniformed boy messenger in the employment of a messenger company and employed as such at the time.'"

Amendments agreed to.

MR. RAWLINSON pointed out that the clause made it an offence to sell cigarettes to certain people, and the Government had made an exception in the case of uniformed messenger boys employed by a messenger company. But he thought the exemption was too narrow. A page at a club or a clerk in an office might be employed in the same way, and surely in their case it ought not to be treated as an offence. Any boy *bona fide* employed as a messenger, ought to be exempted, especially as, after all, the seller would supply them at his own risk. This clause as it stood would give endless opportunities for traps to be laid for unwary shopkeepers by people who might desire to get them into trouble. He hoped, therefore, the House would accept his Amendment.

#### Amendment proposed—

"In page 24, line 21, after the word 'business' to insert the words 'or was *bona fide* employed as a messenger at the time.'"—(Mr. Rawlinson.)

Question proposed, "That those words be there inserted."



\*MR. HERBERT SAMUEL said he was sorry he could not accept the Amendment. It would open too wide a door to the evasion of the Act. If words were put in that this clause was not to apply in any case where a boy was *bona fide* employed as a messenger at the time every person who wished to buy cigarettes would represent that he was *bona fide* employed as a messenger. He might make special arrangements for messenger boys in uniform, because that was a special case and they would be known. But, looking at this from the point of view of the tobacconist, if the tobacconist knew he was not allowed to sell cigarettes to any body under the age of sixteen, the matter was comparatively simple. If he saw a boy apparently under the age of sixteen he knew he must not serve him, but if a boy in uniform came to him he could distinguish him at once and knew that he would be able to serve him. But the insertion of these words giving so wide and undefined an exemption would impose a very great burden on the tobacconist.

SIR F. BANBURY (City of London) regretted that the hon. Gentleman persisted in his opposition to the Amendment. It appeared to him that if the Amendment suggested by the hon. Gentleman were carried it would create a monopoly in favour of the boy messenger companies. He saw no reason why a particular advantage should be given to the boy messenger companies, or why people should be put to the trouble of sending out for a messenger boy in order to send for cigarettes when they had a page-boy in their own employment whom they kept for the purpose of running errands, and who would be in livery if not in uniform. Would it not be absurd to say that if a member of the National Liberal Club wanted a cigarette, and there was not one in the club, he must not send out one of the club pages, but must send out for a boy-messenger to buy him some cigarettes? In considering an Act of Parliament it should not be considered from the point of view that some people might desire to evade it, but from the point of view of common sense. Did the hon. Gentleman intend to move the Amendment following the one now before the House?

Because if he did it looked as if he was going to recede from the position which he had previously taken up, and was no longer going to allow anybody employed as a servant or a messenger to buy cigarettes.

\*MR. HERBERT SAMUEL said the remaining words of the clause were purely consequential to Clause 41. If Clause 41 were dropped these words were entirely unnecessary.

SIR F. BANBURY asked whether, if the Amendment of his hon. and learned friend were not accepted, he would be allowed to send a servant of his under sixteen years of age to fetch him a cigarette.

\*MR. HERBERT SAMUEL: No.

SIR F. BANBURY contended that he would be able to do so if these words were not struck out. These were strong arguments in favour of the Amendment of his hon. and learned friend, and he hoped that he would press it to a division.

LORD R. CECIL (Marylebone, E.) thought this Amendment rather demonstrated the difficulties in which the House was placed in respect to these clauses, which tried to make a thing criminal which was not criminal. It was true that the addition of these words would make a slight addition to the risk of evasion. He did not think it would be so great as the hon. Gentleman supposed, because the boy must be a *bona fide* messenger, but it would somewhat add to the burden of the tobacconist. That was true, but the tobacconist was not bound to sell unless he liked, and if he had any doubt in the matter he was quite within his right to refuse to sell. If, however, something of this kind was not put into the Bill a very genuine hardship would be involved to those who could not command, by reason of their income, the services of a boy messenger, and who were not allowed to send their little boy or little girl out for a packet of cigarettes. He thought this was a serious matter, and that the Government would have done well to have accepted the Amendment. It would not have made any difference to this



Bill, and would have removed a great hardship.

CAPTAIN CRAIG (Down, E.) expressed the opinion that this Amendment might have been accepted if only for the reason that there were very few towns in which the boy messengers were in uniform. It would not inflict any hardship perhaps in London or other large towns in England, where the boy messengers could be found by the telephone; but there were many small towns where the little boys were just as well known to the traders as the boy messengers were here. If these words were not inserted a very great hardship would be inflicted. After all, the onus would still rest on the tobacconist. He would run the risk unless the boy was a *bona fide* messenger. He thought in cases of this sort, where an Amendment was intended to improve the Bill, and was not proposed in any captious spirit, it might be accepted. There were very few towns in Ireland in which there

were uniformed boy messengers. The boy messengers in those places were respectably dressed, but not in a uniform, and the penalty would fall upon them, or an extra expense would fall upon them, in having to dress in compliance with this Act. He hoped the Amendment would be accepted.

Question put.

The House divided :—

[While the division was being taken, one of the occupants of the first row in the Strangers' Gallery rose and said: "Gentlemen, I have a petition which I have presented to the Prime Minister. I should like you to read it." He then threw a paper on to the floor of the House. He was seized by an attendant, when he added: "I have said all I have got to say." He was then removed.]

Ayes, 65; Noes, 204. (Division List No. 264.)

#### AYES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
Ashley, W. W.  
Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt. Hon. A. J. (City Lond).  
Banbury, Sir Frederick George  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Cecil, Lord R. (Marylebone, E.)  
Cochrane, Hon. Thos. H. A. E.  
Craig, Charles Curtis (Antrim, S.)  
Craik, Sir Henry  
Dixon-Hartland, Sir Fred Dixon  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Faber, George Denison (York)  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.  
Forster, Henry William

Gordon, J.  
Goulding, Edward Alfred  
Guinness, Hn. R. (Haggerston)  
Hamilton, Marquess of  
Harrison-Broadley, H. B.  
Heaton, John Henniker  
Helmsley, Viscount  
Hill, Sir Clement  
Joynson-Hicks, William  
Kimber, Sir Henry  
Law, Andrew Bonar (Dulwich)  
Lee, Arthur H. (Hants, Fareham)  
Lockwood, Rt. Hon. Lt.-Col. A. R.  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
Magnus, Sir Philip  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Middlemore, John Throgmorton  
Moore, William

Morpeth, Viscount  
Morrison-Bell, Captain  
Pease, Herbert Pike (Darlington)  
Powell, Sir Francis Sharp  
Randles, Sir John Scurrah  
Remnant, James Farquharson  
Ronaldshay, Earl of  
Sassoon, Sir Edward Albert  
Stanier, Beville  
Staveley-Hill, Henry (Staff'sh.)  
Thornton, Percy M.  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Whitbread, Howard  
Willoughby de Eresby, Lord  
Wilson, A. Stanley (York, E. R.)  
Wolff, Gustav Wilhelm  
Wortley, Rt. Hon. C. B. Stuart-  
Younger, George

TELLERS FOR THE AYES—Mr.  
Rawlinson and Captain Craig.

#### NOES.

Acland, Francis Dyke  
Agar-Robartes, Hon. T. C. R.  
Alden, Percy  
Asquith, Rt. Hon. Herbert Henry  
Baker, Sir John (Portsmouth)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Barnard, E. B.  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)

Lord R. Cecil.

Beale, W. P.  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'd)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Boulton, A. C. F.  
Bowerman, C. W.  
Brace, William

Bramsdon, T. A.  
Bryce, J. Annan  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.

Clough, William  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Cox, Harold  
 Crooks, William  
 Crosfield, A. H.  
 Curran, Peter Francis  
 Dabiel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dickson-Poynder, Sir John P.  
 Dilke, Rt. Hon. Sir Charles  
 Dobson, Thomas W.  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Eslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fullerton, Hugh  
 Gladstone, Rt. Hn Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Gulland, John W.  
 Gordon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harmsworth, Cecil B. (Worc'r)  
 Hart-Davies, T.  
 Harwood, George  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobbouse, Charles E. H.  
 Holland, Sir William Henry  
 Holt, Richard Durning  
 Horniman, Emslie John  
 Howard, Hon. Geoffrey  
 Hudson, Walter

Jacoby, Sir James Alfred  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 King, Alfred John (Knutsford)  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Mackarness, Frederic C.  
 Maelean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Molteno, Percy Alport  
 Money, L. G. Chiozza  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Murray, Capt. Hn A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 O'Brien, William (Cork)  
 O'Connor, T. P. (Liverpool)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh. Central)  
 Pullar, Sir Robert  
 Radford, G. H.  
 Rainy, A. Holland  
 Rea, Russell (Gloucester)  
 Redmond, William (Clare)  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)

Roberts, G. H. (Norwich)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seely, Colonel  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Straus, B. S. (Mile End)  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmann'n)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wilson, John (Durham, Mid)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

#### Amendment proposed—

"In page 24, line 21, to leave out from the  
 word 'business' to end of clause."—(Mr.  
 Herbert Samuel.)

#### Amendment agreed to.

\*MR. HERBERT SAMUEL said that  
 Clause 44 had been very much criticised by  
 the hon. and learned Gentleman and  
 other hon. Members opposite, on the

ground that it included "any small  
 cigar," and not a large cigar, and this  
 distinction had caused some ridicule.  
 He might explain that the definition  
 had been taken from the Oxford  
 Dictionary, and it had the authority  
 behind it of Dr. Murray. However  
 that might be, perhaps for the pur-  
 poses of legislation it could be some-  
 what improved. They could not leave

the definition to the Courts, and to avoid the probability of evasion of the Act, he moved to leave out the words "any small cigar made of," and to insert the word "cut." Then the clause would read "The expression 'cigarette' includes cut tobacco rolled up in paper, tobacco leaf, or any other material."

Amendment proposed—

"In page 24, line 28, to leave out the words 'any cigar made of,' and to insert the word 'cut.'"—(*Mr Herbert Samuel.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and negatived.

Question proposed, "That the word 'cut' be there inserted."

MR. RAWLINSON said it was somewhat difficult at the moment to follow an alteration of this kind, and the hon. Gentleman would quite see that they needed a little further explanation of what the effect of it would be. The old definition "any small cigar" might mean tobacco rolled up in paper, or tobacco leaf or any material. Now they had "cut" tobacco rolled up in paper, or tobacco leaf, or any material. Would that include any form of cigar which contained cut tobacco?

MR. HERBERT SAMUEL said the second subsection of the clause dealt with tobacco other than cigarettes.

LORD R. CECIL said that from the point of view of the Under-Secretary it would have been safer to omit any definition of cigarette, because the moment a definition was given they presented conundrums to the ingenuity of those who desired to evade the law, and who would devise something by which they could escape from the restrictions imposed. For that reason the Courts had always refused to give a definition of fraud, as it might exclude something at which the ingenuity of rascals might arrive. This definition might include any screw of tobacco rolled up in a paper, and bought not for cigarettes, but for the pipe, but he did not imagine that the Court would be such an idiot as to think, in spite of the

*Mr. Herbert Samuel.*

words of the Legislature, that it meant cigarettes.

Question put, and agreed to.

LORD R. CECIL said he did not propose to submit the first two Amendments standing in his name, but he moved the third, to substitute the word "tobacco" for the word "cigarettes," in the last line of the clause. He did not know why the Bill proposed to apply to smoking mixtures, and he could not understand why a man should not send his child for a smoking mixture if he preferred it rather than tobacco. He supposed there were some people who smoked things which were not at all tobacco but some other mixture. He should like to know why that was to be included as well as tobacco; what was the explanation of this remarkable proposal? He begged to move.

SIR F. BANBURY seconded.

Amendment proposed—

"In page 24, line 40, to leave out the word 'cigarettes' and insert the word 'tobacco.'"—(*Lord R. Cecil.*)

Question proposed, "That the word 'tobacco' stand part of the Bill."

\*MR. HERBERT SAMUEL said the noble Lord would remember that the distinction between cigarettes and other tobaccos was this: that the tobacconist might not sell cigarettes at all to boys, while in regard to other tobacco he might sell it to boys if he had no reason to believe that it was for their own use. The provisions as to cigarettes were comparatively easily enforceable. The provision with regard to smoking mixtures had reference to substitutes for tobacco, not being tobacco, which were being now sold, more and more widely to boys, in halfpenny packets with a small wooden pipe. These mixtures contained more or less deleterious substances, and were very much cheaper than the cheapest cigarettes. It was that which they wished to aim at. The subject had been considered in Committee, and it was considered advisable to put these mixtures under the more complete bar imposed on the cigarette rather than in the more

easily obtainable category of other tobacco.

MR. RAWLINSON said smoking mixtures were very well-known, and were usually sold in tins. He did not wish to particularise any brand, but a very large number of brands were not intended to be pure tobacco, and what was added made the charm of them. Certain substitutes, which were probably a great secret, were used, and these smoking mixtures were largely sold in tins. He was sure that nine Members out of the ten would read the words of this subsection as applying to these smoking mixtures, and certainly such a construction might be put upon them. The Under-Secretary apparently had some smoking mixture in his mind, and he admitted at once that what the hon. Gentleman had stated was new to him.

\*MR. HERBERT SAMUEL said he would consider the matter.

Amendment, by leave, withdrawn.

Amendment proposed.

"In page 28, line 6, after the word 'superannuation,' to insert the word 'recall.'"—(*Mr. Herbert Samuel.*)

Amendment agreed to.

MR. STAVELEY-HILL (Staffordshire, Kingswinford) said the utility of his Amendment spoke for itself. There was considerable danger in the clause as it stood that there might be established a scheme for the payment of superannuation allowances without intervention of any higher authority. It was quite likely that pressure would be brought to bear to secure these allowances and it was only fair that some higher authority should be introduced.

SIR F. BANBURY regarded this as a valuable Amendment. In many cases great pressure was brought to bear on people in public positions to increase salaries and grant superannuation allowances, and they were not always able to resist that pressure. The Amendment would be some safeguard, and he hoped it would be accepted.

Amendment proposed—

"In page 28, line 22, after the word 'establishing,' to insert the words 'with the approval of the Secretary of State.'"—(*Mr. Staveley-Hill.*)

Question proposed, "That those words be there inserted."

\*MR. HERBERT SAMUEL said that this point was carefully considered before the clause was inserted, and it was decided that the Secretary of State could not and ought not to assume this responsibility. These persons who were receiving superannuation allowances were for the most part not in the public service at all but in the service of the managers of voluntary institutions, though occasionally they were in the service of local authorities, and there was no reason whatever why the Secretary of State should make himself responsible for the actuarial conditions in a private arrangement between the managers of an industrial school which belonged to a philanthropic society and the officers of the school. It was provided in the clause that the superannuation allowances should not be in excess of the amount payable under the Superannuation Metropolis Act, 1866; in order to save the managers and others from indirect pressure, and that Act provided that if the term of service was under eleven years the superannuation must not be more than ten-sixtieths, with an addition of one-sixtieth for every additional year of service, with a maximum of two-thirds of the salary. The Secretary of State could not undertake to make the elaborate actuarial calculations which would be necessary in every particular case of these officers of schools, and he was unable to accept the Amendment.

Amendment negatived.

CAPTAIN CRAIG said he had put down an Amendment to omit subsection (1) of Clause 59, in order to elicit how far the present law differed from what was proposed in the subsection. It was a consolidating clause as well as one enacting something fresh. Was there any law which allowed any person to bring before a Petty Sessional Court a child which was found wandering or begging? And was it not



such very harsh punishment as might be ordered by a Court of Petty Sessions for some of the trifling offences which were here enumerated? The clause said that any person might bring before the Court any person apparently under the age of fourteen who did so-and-so. That would be an opportunity for spite on the part of the smaller fry who were friends of the infant it was desired to have locked up. "Any person" was a very wide reading to give to such a Bill as this. Again, a young person might be brought before the Court if found begging or receiving alms. They were all thoughtless sometimes in throwing a copper to a boy, or perhaps on meeting with the son of some old servant one was apt to put one's hand in one's pocket. Was anybody to be allowed to take up that small boy to Petty Sessions for taking from somebody much his senior a small tip of 1d. or 2d? It seemed very harsh treatment, and very grandmotherly legislation, because if a person of mature years liked to act in this way the penalty ought to be on him rather than on the boy who took the coppers. If a small boy found another small boy wandering he might charge him and have him taken before the Petty Sessions. Surely, there was some loose drafting about a Bill which would allow that, and probably it would occur as much out of mischief as out of any benevolent feeling on the part of others. He did not observe that the Government had put down any Amendments to meet these obvious defects. A young person might be taken up if found wandering, and having a parent or guardian who was unfit to have the care of the child. It did not say anything about the other parent. The father might be abroad, and though the mother might have a home here, and be fit to have charge of the child, he might be brought before the Court and sent to an industrial school. Surely there was something very weak and wrong in a clause which would allow such interference as that. Then if the mother was undergoing a week's imprisonment the child was practically hidden away in a reformatory or industrial school for several years. Latterly a great number of suffragists had been imprisoned for a short time, and if

anyone found one of the children of one of these women wandering about it could be brought before the Court and ordered to be sent to an industrial school. There was something wrong there, too. Had anybody, like himself, ever tried to get a boy out of an industrial school after the mother had come back from prison? It was one of the most costly and difficult proceedings that he had ever had anything to do with in his short career. In Ireland it could only be done by an order of the Lord-Lieutenant, and in order to get it correspondence had to go through so many Departments that the boy was almost an old man before he got his release. The thing was a farce in many of its particulars. Subsections (a), (b), and (c), were all harsh. Surely it was not the intention of the Government to persist in them. A great many people were in favour of prohibiting cigarette-smoking amongst youths, but surely it was not intended to tack on to a Bill to prohibit juvenile smoking such extraordinary hardships as might befall innocent boys. If parents could not keep their boys in proper order and discipline the State would not do it, and for the State to attempt to do it in cases of this sort was to interfere with parental responsibility, and would do more harm than the good which could possibly be effected by a whole Act of Parliament. If they dropped the Bill at Clause 58 they would have done very well in legislation in this direction for this session. The clause gave far too much responsibility to "any person," whoever he happened to be, and he would be no party to allowing the clause to go through without a division.

SIR F. BANBURY said that under this subsection any person who had a grudge against the parents of a child might bring them before the Court. Strife might arise between acquaintances, and any person who had a grudge against another might for spite declare they had found their child wandering, and swear that the parents were of drunken habits. That was a strong order. A man might swear that the child of John Jones was the child of a drunken person who was unfit to have the care of a child. It might be proved that John Jones was

*Captain Craig.*



occasionally the worse for drink, but the other part of the charge might fail. Would there be any penalty against the person who had brought an unfounded charge upon which John Jones had been haled before the magistrates? The mother of an illegitimate child might be sent to prison, and upon her return find that some person who had a grudge against her had been instrumental in having got her child sent to an industrial school. He did not wish to impute that the Government were not actuated by the best motives, but he thought this clause ought to have some modification, and he begged leave to second this Amendment.

#### Amendment proposed—

"In page 24, line 27, to leave out subsection (1)." —(*Captain Craig.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said he was surprised that the hon. Member, before moving this Amendment, had not taken the pains to see how much of the clause was new and how much was old. The words objected to by the mover of this Amendment had been the law of the land ever since 1866. The phrase "any person" appeared also in the Vagrancy Acts and the Larceny Act. It was extremely undesirable to limit to the police the possibility of rescuing these children. The Society for the Prevention of Cruelty to Children frequently used this clause, and under it about 200 children a year were rescued by them from evil surroundings, and received the almost immeasurable benefits of the industrial schools. The Salvation Army also put this clause into operation, and they did not find any of the impossible cases referred to by the Member opposite. He was astounded that such statements should be made in the House of Commons. The provision about receiving alms, wandering, and being found destitute had been the law of the land since the year 1866. It had been urged that these were harsh penalties for such trivial offences, but they were really not penalties at all. This was a clause to enable children in bad surroundings, perhaps with criminal

parents, to be rescued from those surroundings and placed in a position to obtain the start in life which the industrial school system gave. That system was built mainly upon the subsections to which the hon. Member had referred. He had been asked what the new provisions were. Paragraphs (d), (e) and the latter part of (g) were new. There were a few other minor Amendments of a verbal character in other portions of the clause. This clause was discussed most fully and thoroughly for two whole days before the Standing Committee, and under these circumstances he thought the criticisms made by hon. Members opposite were quite uncalled for.

SIR FRANCIS POWELL (Wigan) said he hoped the whole of this clause would be retained. As the Under-Secretary had stated, it was most carefully considered by the Committee, and he never knew of a more searching examination of any clause. The existing law had been retained with Amendments of a desirable character, and he hoped no changes would now be made.

VISCOUNT MORPETH (Birmingham, S.) made an appeal to the mover and seconder of this Amendment to allow the clause to go through as it stood. The hon. and gallant Member had given his experience of the difficulty of trying to get a boy out of an industrial school. He was inclined to think that if he had seen the inside of an industrial school he would not adhere to his opposition to this proposal. These schools gave boys a chance of starting fairly and squarely in life, and their great success was one of the most satisfactory and striking features in the whole field of education. No part of our educational system approached anywhere near the success of the industrial schools in reclaiming a class of children who were recruited largely from the lowest class of the population, and they turned out good citizens. The Under-Secretary had given reasons why the word "person" should be retained. He did not think the cases cited were likely to arise. When a child was brought before the magistrate he had to decide whether it would be beneficial for the boy or girl

### **The Government and Unemployment.**

MR. ARTHUR HENDERSON (Durham, Barnard Castle): I beg to ask the Prime Minister whether, in view of the amount of suffering caused by the present state of unemployment, he can now state what the Government proposes to do to alleviate the distress, and when a day can be given to discuss the subject.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): I propose to make a full and detailed statement on this subject on Wednesday, and as I am afraid it will be necessary for me to go beyond the ordinary limit of an Answer to a Question, I shall ask the permission of the House to make the statement at the end of Questions.

MR. ARTHUR HENDERSON: In view of the guillotine Motion being in operation, may I ask whether, in the event of the right hon. Gentleman's Answer not being satisfactory to my colleagues, the Government will be disposed to give us a day to consider the whole subject.

MR. ASQUITH: I am sanguine enough to hope that my Answer will be satisfactory. In the event of its not being so, having regard to the importance of the subject, the hon. Gentleman may be sure an opportunity will be given to consider it.

### **Scottish Education Bill.**

MR. EUGENE WASON (Clackmannan and Kinross): I beg to ask the Prime Minister if he can say when the Report stage of the Scottish Education Bill will be taken.

MR. ASQUITH: I cannot make any announcement as to the date at present; but I hope to be able to do so next month.

### **Military Charges on India.**

DR. RUTHERFORD: I beg to ask the Prime Minister whether he will give this House any opportunity of discussing the serious steps taken by the Government of India to charge the Indian taxpayers with an additional annual burden of £300,000 in accordance with the recent recommendation of the Committee on Army Charges.

MR. ASQUITH: No, Sir. I am afraid that no opportunity for such a discussion can be provided this session.

DR. RUTHERFORD: Is it not a matter of great interest to the Empire that this extra burden should be placed on India? Ought this House not to have an opportunity of discussing it?

MR. ASQUITH: There will be an opportunity next session.

### **Irish Land Finance.**

MR. WALTER LONG (Dublin, S.): I beg to ask the Prime Minister when he proposes to make his promised statement on Irish land finance.

MR. ASQUITH: I am unable to fix a date at present. Communications are daily passing between the Chief Secretary and the Chancellor of the Exchequer, and I hope a definite statement may be possible before the end of next week.

### **The Government and Home Rule.**

CAPTAIN CRAIG: I beg to ask the Prime Minister whether the statement of the President of the Board of Trade at Dundee on 9th October on the subject of Home Rule was made with the sanction of the Cabinet; and, if so, will a Bill be introduced dealing with the matter before the present Government go to the country.

MR. ASQUITH: The statement of my right hon. friend was made on his own responsibility. The policy of the Government has been clearly explained in the declarations made by me in the earlier part of the session, to which I have nothing to add.

CAPTAIN CRAIG: Will it be possible for the right hon. Gentleman and his colleagues to come to some agreement on this important subject, in view of the unrest and unsettlement which these electioneering speeches from Members of the Government cause among the law-abiding and respectable people in Ireland?

MR. ASQUITH: I am not aware of any difference of opinion amongst Members of the Government on this subject, and I am

afraid that nothing I can say will allay these feelings of apprehension and unrest.

VISCOUNT HELMSLEY (Yorkshire, N.B., Thirsk): If there is no difference of opinion between the right hon. Gentleman and the President of the Board of Trade, does the right hon. Gentleman endorse what the President of the Board of Trade has said?

MR. ASQUITH: There is no difference of opinion.

MR. R. DUNCAN (Lanarkshire, Govan): Are we to take it that when a Minister makes a rash statement, silence gives consent?

[No Answer was returned.]

#### BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London) said he wished to ask the Prime Minister two questions having reference to the arrangement of business under the Closure Resolution. The right hon. Gentleman intended on Wednesday to make a statement of some length on the serious question of unemployment, and, as he understood, he had promised, if that statement was not satisfactory, to give an opportunity for its discussion. A lengthy statement, made in time taken out of their rather slender resources on the Licensing Bill, was of itself a rather serious interference with the rules which the right hon. Gentleman had himself laid down. He thought it might be taken as a matter of absolute certainty that the right hon. Gentleman's statement, whether satisfactory or not, would require commentary and discussion. The second question had reference to the Amendment put down on Friday in the name of the First Commissioner of Works in connection with off-licences, about which not a single word either had been or could be said. The first opportunity of discussing it must be on the Report stage, and he would ask whether the right hon. Gentleman did not think this fact necessitated some reconstruction of the compartment resolution when they reached the Report stage. The interests involved were very large.

MR. ASQUITH said he hoped his statement would not be at all a long one. It would be longer than an answer to a Question, and that was why he said what he did. But it would be as short as he could make it, and he did not think it would substantially encroach on the time allotted to the Licensing Bill. He thought it was almost impossible that any statement on this particular matter could be made without giving rise to a legitimate demand for discussion in some quarter, and he would see how that demand could best be met. With regard to the second question of the right hon. Gentleman, he would point out that the Amendment was carried without a division, without even a challenge. That, according to ordinary experience and use, would seem to show that it had the unanimous support of the House. He had never known a proposition to which exception was taken carried without a division, or even without a challenge. But he agreed that it was a matter of importance, and he would consider, between now and the Report stage whether it would not be possible, by remoulding, if necessary, the compartment procedure, to afford the House some opportunity of discussing it if there was a general disposition to do so.

#### SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection: That they had discharged the following Member from Standing Committee B. (in respect of the Housing, Town Planning, etc., Bill): Mr. Byles; and had appointed in substitution (in respect of the said Bill): Mr. Acland Allen.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee: That they had discharged the following Member from Standing Committee C. (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): Mr. Samuel Roberts; and had appointed in substitution (in respect of the said Bill): Mr. Du Cros.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee: That they had discharged the following Members from Standing Committee A. (in respect of the Tuberculosis (Ireland)

Prevention Bill): Earl of Ronaldshay and Mr. Thomas Lorimer Corbett; and had appointed in substitution (in respect of the said Bill): Mr. Charles Craig and Lord Balcarras.

Reports to lie upon the Table.

#### CHILDREN BILL.

As amended (in the Standing Committee), further considered.

CAPTAIN CRAIG (Down, E.) moved the addition of the words in Clause 42 for the protection of children who might be sent by their parents or employers to fetch cigarettes from automatic machines. He said the words regarding the machines being "extensively used by children" were likely to give rise to a good deal of misunderstanding, as it was quite possible children might merely use them for others who were fully entitled to the use of them and not for themselves. In such a case no penalty ought to attach to the user. He, therefore, begged to move.

#### Amendment proposed—

"In page 24, line 4, after the word 'persons,' to insert the words 'for the purpose of obtaining cigarettes for his own use or that of other children or young persons.'"—(*Captain Craig.*)

Question proposed, "That those words be there inserted."

\*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) thought the matter was sufficiently covered by the clause, and the insertion of these words would unnecessarily complicate the working of the Bill. As a matter of fact these machines were not extensively used by children for the purpose of obtaining cigarettes for adults. He hoped the Amendment would not be pressed.

Amendment negatived.

#### Amendment proposed—

"In page 24, line 9, after the word 'order,' to insert the words 'Provided that any person aggrieved by such an order may appeal against it to a Court of Quarter Sessions.'"—(*Lord R. Cecil.*)

Question proposed, "That those words be there inserted."

\*MR. HERBERT SAMUEL said this appeal would probably be very seldom used, and for that reason it was not inserted in the Bill. But it was as well to allow the appeal, and he would, therefore, accept the Amendment.

MR. RAWLINSON (Cambridge University) asked whether the hon. Gentleman would extend the appeal to Section 39 (Penalty on selling tobacco to children and young persons).

\*MR. HERBERT SAMUEL said he would consider that.

Amendment agreed to.

#### Amendments proposed—

"In page 24, line 16, to leave out the words 'or purchase.'"

"In page 24, line 19, to leave out the words 'by whom they are bought.'"

"In page 24, line 21, after the word 'business,' to insert the words 'or was a uniformed boy messenger in the employment of a messenger company and employed as such at the time.'"

Amendments agreed to.

MR. RAWLINSON pointed out that the clause made it an offence to sell cigarettes to certain people, and the Government had made an exception in the case of uniformed messenger boys employed by a messenger company. But he thought the exemption was too narrow. A page at a club or a clerk in an office might be employed in the same way, and surely in their case it ought not to be treated as an offence. Any boy *bona fide* employed as a messenger, ought to be exempted, especially as, after all, the seller would supply them at his own risk. This clause as it stood would give endless opportunities for traps to be laid for unwary shopkeepers by people who might desire to get them into trouble. He hoped, therefore, the House would accept his Amendment.

#### Amendment proposed—

"In page 24, line 21, after the word 'business' to insert the words 'or was *bona fide* employed as a messenger at the time.'"—(*Mr. Rawlinson.*)

Question proposed, "That those words be there inserted."



\*MR. HERBERT SAMUEL said he was sorry he could not accept the Amendment. It would open too wide a door to the evasion of the Act. If words were put in that this clause was not to apply in any case where a boy was *bona fide* employed as a messenger at the time every person who wished to buy cigarettes would represent that he was *bona fide* employed as a messenger. He might make special arrangements for messenger boys in uniform, because that was a special case and they would be known. But, looking at this from the point of view of the tobacconist, if the tobacconist knew he was not allowed to sell cigarettes to any body under the age of sixteen, the matter was comparatively simple. If he saw a boy apparently under the age of sixteen he knew he must not serve him, but if a boy in uniform came to him he could distinguish him at once and knew that he would be able to serve him. But the insertion of these words giving so wide and undefined an exemption would impose a very great burden on the tobacconist.

SIR F. BANBURY (City of London) regretted that the hon. Gentleman persisted in his opposition to the Amendment. It appeared to him that if the Amendment suggested by the hon. Gentleman were carried it would create a monopoly in favour of the boy messenger companies. He saw no reason why a particular advantage should be given to the boy messenger companies, or why people should be put to the trouble of sending out for a messenger boy in order to send for cigarettes when they had a page-boy in their own employment whom they kept for the purpose of running errands, and who would be in livery if not in uniform. Would it not be absurd to say that if a member of the National Liberal Club wanted a cigarette, and there was not one in the club, he must not send out one of the club pages, but must send out for a boy-messenger to buy him some cigarettes? In considering an Act of Parliament it should not be considered from the point of view that some people might desire to evade it, but from the point of view of common sense. Did the hon. Gentleman intend to move the Amendment following the one now before the House?

Because if he did it looked as if he was going to recede from the position which he had previously taken up, and was no longer going to allow anybody employed as a servant or a messenger to buy cigarettes.

\*MR. HERBERT SAMUEL said the remaining words of the clause were purely consequential to Clause 41. If Clause 41 were dropped these words were entirely unnecessary.

SIR F. BANBURY asked whether, if the Amendment of his hon. and learned friend were not accepted, he would be allowed to send a servant of his under sixteen years of age to fetch him a cigarette.

\*MR. HERBERT SAMUEL: No.

SIR F. BANBURY contended that he would be able to do so if these words were not struck out. These were strong arguments in favour of the Amendment of his hon. and learned friend, and he hoped that he would press it to a division.

LORD R. CECIL (Marylebone, E.) thought this Amendment rather demonstrated the difficulties in which the House was placed in respect to these clauses, which tried to make a thing criminal which was not criminal. It was true that the addition of these words would make a slight addition to the risk of evasion. He did not think it would be so great as the hon. Gentleman supposed, because the boy must be a *bona fide* messenger, but it would somewhat add to the burden of the tobacconist. That was true, but the tobacconist was not bound to sell unless he liked, and if he had any doubt in the matter he was quite within his right to refuse to sell. If, however, something of this kind was not put into the Bill a very genuine hardship would be involved to those who could not command, by reason of their income, the services of a boy messenger, and who were not allowed to send their little boy or little girl out for a packet of cigarettes. He thought this was a serious matter, and that the Government would have done well to have accepted the Amendment. It would not have made any difference to this



Bill, and would have removed a great hardship.

CAPTAIN CRAIG (Down, E.) expressed the opinion that this Amendment might have been accepted if only for the reason that there were very few towns in which the boy messengers were in uniform. It would not inflict any hardship perhaps in London or other large towns in England, where the boy messengers could be found by the telephone; but there were many small towns where the little boys were just as well known to the traders as the boy messengers were here. If these words were not inserted a very great hardship would be inflicted. After all, the onus would still rest on the tobacconist. He would run the risk unless the boy was a *bona fide* messenger. He thought in cases of this sort, where an Amendment was intended to improve the Bill, and was not proposed in any captious spirit, it might be accepted. There were very few towns in Ireland in which there

were uniformed boy messengers. The boy messengers in those places were respectably dressed, but not in a uniform, and the penalty would fall upon them, or an extra expense would fall upon them, in having to dress in compliance with this Act. He hoped the Amendment would be accepted.

Question put.

The House divided:—

[While the division was being taken, one of the occupants of the first row in the Strangers' Gallery rose and said: "Gentlemen, I have a petition which I have presented to the Prime Minister. I should like you to read it." He then threw a paper on to the floor of the House. He was seized by an attendant, when he added: "I have said all I have got to say." He was then removed.]

Ayes, 65; Noes, 204. (Division List No. 264.)

#### AYES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
Ashley, W. W.  
Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt. Hon. A. J. (City Lond).  
Banbury, Sir Frederick George  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Cecil, Lord R. (Marylebone, E.)  
Cochrane, Hon. Thos. H. A. E.  
Craig, Charles Curtis (Antrim, S.)  
Craik, Sir Henry  
Dixon-Hartland, Sir Fred Dixon  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Faber, George Denison (York)  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.  
Forster, Henry William

Gordon, J.  
Goulding, Edward Alfred  
Guinness, Hn. R. (Haggerston)  
Hamilton, Marquess of  
Harrison-Broadley, H. B.  
Heaton, John Henniker  
Helmsley, Viscount  
Hill, Sir Clement  
Joynson-Hicks, William  
Kimber, Sir Henry  
Law, Andrew Bonar (Dulwich)  
Lee, Arthur H. (Hants, Fareham)  
Lockwood, Rt. Hon. Lt.-Col. A. R.  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
Magnus, Sir Philip  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Middlemore, John Throgmorton  
Moore, William

Morpeth, Viscount  
Morrison-Bell, Captain  
Pease, Herbert Pike (Darlington)  
Powell, Sir Francis Sharp  
Randles, Sir John Scurrah  
Remnant, James Farquharson  
Ronaldshay, Earl of  
Sassoon, Sir Edward Albert  
Stanier, Beville  
Staveley-Hill, Henry (Staff'sh.)  
Thornton, Percy M.  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Whitbread, Howard  
Willoughby de Eresby, Lord  
Wilson, A. Stanley (York, E. R.)  
Wolff, Gustav Wilhelm  
Wortley, Rt. Hon. C. B. Stuart-  
Younger, George

TELLERS FOR THE AYES—Mr.  
Rawlinson and Captain Craig.

#### NOES.

Acland, Francis Dyke  
Agar-Robartes, Hon. T. C. R.  
Alden, Percy  
Asquith, Rt. Hon. Herbert Henry  
Baker, Sir John (Portsmouth)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Barnard, E. B.  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)

Lord R. Cecil.

Beale, W. P.  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'd)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Boulton, A. C. F.  
Bowerman, C. W.  
Brace, William

Bramsdon, T. A.  
Bryce, J. Annan  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.

Clough, William  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Cox, Harold  
 Crooks, William  
 Crossfield, A. H.  
 Curran, Peter Francis  
 Dabziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dickson-Poynder, Sir John P.  
 Dilke, Rt. Hon. Sir Charles  
 Dobson, Thomas W.  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Easlemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fullerton, Hugh  
 Gladstone, Rt. Hn Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harmsworth, Cecil B. (Worc'r)  
 Hart-Davies, T.  
 Harwood, George  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Holland, Sir William Henry  
 Holt, Richard Durning  
 Horniman, Emslie John  
 Howard, Hon. Geoffrey  
 Hudson, Walter

Jacoby, Sir James Alfred  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kincaid-Smith, Captain  
 King, Alfred John (Knutsford)  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Mackarness, Frederic C.  
 Maelean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Molteno, Percy Alport  
 Money, L. G. Chiozza  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Murray, Capt. Hn A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 O'Brien, William (Cork)  
 O'Connor, T. P. (Liverpool)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh. Central)  
 Pullar, Sir Robert  
 Radford, G. H.  
 Rainy, A. Holland  
 Rea, Russell (Gloucester)  
 Redmond, William (Clare)  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th  
 Richards, T. F. (Wolverh'mpt'n)  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)

Roberts, G. H. (Norwich)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seely, Colonel  
 Shackleton, David James  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Straus, B. S. (Mile End)  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmann'n)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Weir, James Galloway  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wilson, John (Durham, Mid)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

#### Amendment proposed—

"In page 24, line 21, to leave out from the word 'business' to end of clause."—(Mr. Herbert Samuel.)

Amendment agreed to.

\*MR. HERBERT SAMUEL said that Clause 44 had been very much criticised by the hon. and learned Gentleman and other hon. Members opposite, on the

ground that it included "any small cigar," and not a large cigar, and this distinction had caused some ridicule. He might explain that the definition had been taken from the Oxford Dictionary, and it had the authority behind it of Dr. Murray. However that might be, perhaps for the purposes of legislation it could be somewhat improved. They could not leave

the definition to the Courts, and to avoid the probability of evasion of the Act, he moved to leave out the words "any small cigar made of," and to insert the word "cut." Then the clause would read "The expression 'cigarette' includes cut tobacco rolled up in paper, tobacco leaf, or any other material."

Amendment proposed—

"In page 24, line 28, to leave out the words 'any cigar made of,' and to insert the word 'cut.'"—(*Mr Herbert Samuel.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and negatived.

Question proposed, "That the word 'cut' be there inserted."

MR. RAWLINSON said it was somewhat difficult at the moment to follow an alteration of this kind, and the hon. Gentleman would quite see that they needed a little further explanation of what the effect of it would be. The old definition "any small cigar" might mean tobacco rolled up in paper, or tobacco leaf or any material. Now they had "cut" tobacco rolled up in paper, or tobacco leaf, or any material. Would that include any form of cigar which contained cut tobacco?

MR. HERBERT SAMUEL said the second subsection of the clause dealt with tobacco other than cigarettes.

LORD R. CECIL said that from the point of view of the Under-Secretary it would have been safer to omit any definition of cigarette, because the moment a definition was given they presented conundrums to the ingenuity of those who desired to evade the law, and who would devise something by which they could escape from the restrictions imposed. For that reason the Courts had always refused to give a definition of fraud, as it might exclude something at which the ingenuity of rascals might arrive. This definition might include any screw of tobacco rolled up in a paper, and bought not for cigarettes, but for the pipe, but he did not imagine that the Court would be such an idiot as to think, in spite of the

*Mr. Herbert Samuel.*

words of the Legislature, that it meant cigarettes.

Question put, and agreed to.

LORD R. CECIL said he did not propose to submit the first two Amendments standing in his name, but he moved the third, to substitute the word "tobacco" for the word "cigarettes," in the last line of the clause. He did not know why the Bill proposed to apply to smoking mixtures, and he could not understand why a man should not send his child for a smoking mixture if he preferred it rather than tobacco. He supposed there were some people who smoked things which were not at all tobacco but some other mixture. He should like to know why that was to be included as well as tobacco; what was the explanation of this remarkable proposal? He begged to move.

SIR F. BANBURY seconded.

Amendment proposed—

"In page 24, line 40, to leave out the word 'cigarettes' and insert the word 'tobacco.'"—(*Lord R. Cecil.*)

Question proposed, "That the word 'tobacco' stand part of the Bill."

\*MR. HERBERT SAMUEL said the noble Lord would remember that the distinction between cigarettes and other tobaccos was this: that the tobacconist might not sell cigarettes at all to boys, while in regard to other tobacco he might sell it to boys if he had no reason to believe that it was for their own use. The provisions as to cigarettes were comparatively easily enforceable. The provision with regard to smoking mixtures had reference to substitutes for tobacco, not being tobacco, which were being now sold, more and more widely to boys, in halfpenny packets with a small wooden pipe. These mixtures contained more or less deleterious substances, and were very much cheaper than the cheapest cigarettes. It was that which they wished to aim at. The subject had been considered in Committee, and it was considered advisable to put these mixtures under the more complete bar imposed on the cigarette rather than in the more

easily obtainable category of other tobacco.

MR. RAWLINSON said smoking mixtures were very well-known, and were usually sold in tins. He did not wish to particularise any brand, but a very large number of brands were not intended to be pure tobacco, and what was added made the charm of them. Certain substitutes, which were probably a great secret, were used, and these smoking mixtures were largely sold in tins. He was sure that nine Members out of the ten would read the words of this subsection as applying to these smoking mixtures, and certainly such a construction might be put upon them. The Under-Secretary apparently had some smoking mixture in his mind, and he admitted at once that what the hon. Gentleman had stated was new to him.

\*MR. HERBERT SAMUEL said he would consider the matter.

Amendment, by leave, withdrawn.

Amendment proposed.

"In page 28, line 6, after the word 'supervision,' to insert the word 'recall.'"—(Mr. Herbert Samuel.)

Amendment agreed to.

MR. STAVELEY-HILL (Staffordshire, Kingswinford) said the utility of his Amendment spoke for itself. There was considerable danger in the clause as it stood that there might be established a scheme for the payment of superannuation allowances without intervention of any higher authority. It was quite likely that pressure would be brought to bear to secure these allowances and it was only fair that some higher authority should be introduced.

SIR F. BANBURY regarded this as a valuable Amendment. In many cases great pressure was brought to bear on people in public positions to increase salaries and grant superannuation allowances, and they were not always able to resist that pressure. The Amendment would be some safeguard, and he hoped it would be accepted.

Amendment proposed—

"In page 28, line 22, after the word 'establishing,' to insert the words 'with the approval of the Secretary of State.'"—(Mr. Staveley-Hill.)

Question proposed, "That those words be there inserted."

\*MR. HERBERT SAMUEL said that this point was carefully considered before the clause was inserted, and it was decided that the Secretary of State could not and ought not to assume this responsibility. These persons who were receiving superannuation allowances were for the most part not in the public service at all but in the service of the managers of voluntary institutions, though occasionally they were in the service of local authorities, and there was no reason whatever why the Secretary of State should make himself responsible for the actuarial conditions in a private arrangement between the managers of an industrial school which belonged to a philanthropic society and the officers of the school. It was provided in the clause that the superannuation allowances should not be in excess of the amount payable under the Superannuation Metropolis Act, 1866; in order to save the managers and others from indirect pressure, and that Act provided that if the term of service was under eleven years the superannuation must not be more than ten-sixtieths, with an addition of one-sixtieth for every additional year of service, with a maximum of two-thirds of the salary. The Secretary of State could not undertake to make the elaborate actuarial calculations which would be necessary in every particular case of these officers of schools, and he was unable to accept the Amendment.

Amendment negatived.

CAPTAIN CRAIG said he had put down an Amendment to omit subsection (1) of Clause 59, in order to elicit how far the present law differed from what was proposed in the subsection. It was a consolidating clause as well as one enacting something fresh. Was there any law which allowed any person to bring before a Petty Sessional Court a child which was found wandering or begging? And was it quite fair to inflict



indictable, they had no power to whip where it was not. That seemed to have been taken away from them by an oversight. An Industrial Schools Bill passed the House of Lords in 1889, but for some reason or other never came into this House. That Bill gave the magistrates ample powers for dealing with the children brought before them, but it did not include this power. After its introduction in the House of Lords, however, a petition very extensively signed was got up for presentation to the House of Lords and to this House should the Bill reach this House. That petition was presented to the House of Lords by the then Archbishop of York, and was signed by five Courts of Quarter Sessions and no less than fifty chairmen of Petty Sessions throughout the country, and was in favour of whipping for non-indictable offences. So great was the weight behind that petition that the House of Lords in the following year brought in a Juvenile Offenders Bill which passed through the House, and which included this very alternative. If his Amendment were accepted it would make these alternatives really operative. His object was to enable magistrates to order the whipping of boys for non-indictable offences. The law as it now stood was somewhat peculiar. When a boy took apples from the ground and ran away with them he could be ordered a whipping by the magistrates; but the boy who climbed the tree, really the more serious offence, could not be ordered a whipping by the magistrates. He begged to move.

MR. RAWLINSON seconded.

Amendment proposed—

“In page 59, line 36, to leave out the words ‘or any other.’”

Question proposed, “That the words ‘or any other’ stand part of the Bill.”

\*MR. HERBERT SAMUEL said the noble Lord had correctly stated the purport of the clause, which did not confer any powers on anybody at all; it was merely a summary of possible ways in which children might be dealt with by the Court before which they were brought. The clause indicated various sorts of punishment, but it conferred no new power in addition to those which a

*Viscount Helmsley.*

Court of Summary Jurisdiction now possessed. But the Court would have the advantage of seeing, in a single page of an Act of Parliament, the various courses which it was possible for them to pursue with regard to a particular child. The noble Lord's Amendment would not in the least effect the purpose he had in view. This Bill did not touch the question of corporal punishment at all. When he brought it in, there were two subjects which he was determined as far as possible to avoid. One was alcohol and the other flogging. He felt that to insert either in the Bill would give rise to considerable controversy. Therefore, save as to one minute point, not worth mentioning, he did not alter anything in the present law with regard to corporal punishment. Some hon. Members had requested him to abolish the existing power of the Courts to inflict corporal punishment in the case of children; others urged that those powers should be extended. In a matter of such great controversy, he thought it far better to leave the law as it was, and if the noble Lord had any desire to amend it he might introduce a private Bill. The Amendment would not attain the ends its mover had in view, while on the other hand it would spoil the clause, which was a table showing the various courses which might be taken under this Act in dealing with a child.

SIR F. BANBURY pointed out that (g), on page 60 said “by ordering the offender to be whipped.” He understood the Under-Secretary to say that the Bill had nothing to do with whipping.

\*MR. HERBERT SAMUEL: No further powers.

SIR F. BANBURY: The result of provision (g) would be to order a whipping. The hon. Gentleman stated that he had avoided the questions of alcohol and flogging, but he presumed that by subsection (g) whipping could be ordered, and that if his noble friend's Amendment were adopted it would defeat his object, namely, to enable the magistrates to order a boy to be whipped. Therefore, he asked his noble friend not to press his Amendment. The hon. Gentleman would perhaps correct him if he was wrong, but it would appear that by the law as it stood



a boy could be whipped if a magistrate so ordered.

VISCOUNT HELMSLEY said he must confess that he was rather influenced by the observations of his hon. friend the Member for the City of London. He had not been clear, nor did he think many hon. Members had been clear, as to what was the effect of the clause as a whole, but, in the circumstances, he asked leave to withdraw his Amendment. But he would ask the Under-Secretary whether, putting aside all questions of flogging, he did not really think it a reasonable provision. It was not an argument as to whether whipping, as a whole, should be abolished, but whether in certain cases the magistrates should not have further discretion. There was a petition which had been signed by fifty-four chairmen of petty sessions—

\*MR. HERBERT SAMUEL: The noble Lord refers to the petition of 1861.

VISCOUNT HELMSLEY: No, 1890.

\*MR. HERBERT SAMUEL: A Bill was introduced in 1900 for that very purpose, but it was so strongly opposed in both Houses that it had to be dropped.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 61, line 1, after the word 'custody' to insert the words 'and care.'"—(Mr. Herbert Samuel.)

Amendment agreed to.

Amendment proposed—

"In page 61, line 33, at end, to add the words, 'Where it is intended to bring before a petty sessional Court a person apparently under the age of fourteen as coming within one of the descriptions mentioned in subsection 1 of Section 59 of this Act, and it is necessary that accommodation should be temporarily provided for him, a place of detention may be used for his accommodation until he can be brought before such a Court.'"—(Mr. Herbert Samuel.)

Question proposed, "That those words be there inserted."

SIR F. BANBURY said he would like the hon. Gentleman to give them some explanation of this particular Amendment.

\*MR. HERBERT SAMUEL said places of detention were provided under the Bill for children who had to be kept in custody when not bailed, or when not released on bail, instead of being kept in the police stations. Similarly, children remanded by the Courts were to be kept in these places instead of being remanded to a prison. But there was a case which was overlooked that might arise under Section 59 (1) referring to children sent to industrial schools. A child might be found wandering, destitute and helpless, and be a proper subject to be brought before the Court and sent to an industrial school. What was to be done with him during the day or two days which might elapse before he could be brought before the Court? At present he would be kept in the police station. They wanted to avoid that. A place of detention was already provided for the other classes of children, and this should be used in the case he suggested. Therefore, he proposed to insert this Amendment here.

Question put, and agreed to.

MR. RAWLINSON moved to leave out subsection (2) of Clause 112. The subsection, he said, was for the establishment of juvenile Courts, a new experiment; and it was provided by the subsection that, when a child was charged in the juvenile Court, only those concerned in the case were to be present and the public were to be excluded. He presumed that it was desired to avoid publicity. But if that were so, the remaining part of the subsection seemed to be extraordinary, because it said that *bona-fide* representatives of newspapers or news agencies should not be excluded. By this provision they took away a power of that kind which might exist in a particular Court, and while none of the public were to be admitted the Press were to be present—a course which would defeat the object of avoiding publicity. He should like an explanation from the Under-Secretary as to the object he had in view, and why he drew a distinction between the public, who were to be excluded, and the Press, whose representative might send reports to the local papers, doing much more harm to the child than would arise from the presence of people who were attracted to Courts of petty sessions by curiosity.

MR. BOWLES (Lambeth, Norwood), in seconding the Amendment, said the course proposed by the Bill was exactly calculated to defeat the object of the Government. No doubt the object was to prevent, in the interests of the child, a crowd of people from going to see what might be very painful and disagreeable, but for his part he would greatly prefer the exclusion of the representatives of newspapers and news agencies. He really did not understand the principle on which the people were excluded and the representatives of the Press admitted, because the effect would be to spread publicity over a wider surface than could possibly arise from the presence of a few people in the back of the Court.

Amendment proposed—

“In page 63, line 21, to leave out subsection (2).”—(*Mr. Rawlinson*).

Question proposed, “That the words down to ‘the’ in line 24, stand part of the Bill.”

SIR WILLIAM BULL (Hammersmith) said it was one of the great principles of English justice that it should be free and open, and that the public as a rule should be admitted. He would suggest that it should be an entirely discretionary power.

\*MR. HERBERT SAMUEL said this was a clause which extended to England the principle of juvenile Courts, which was rapidly spreading all over the world. Originating in America and Australia, it was now being adopted in Germany and other countries, and had already voluntarily been adopted in Birmingham and some other towns in England and always with very great advantage to the administration of justice in the case of juveniles. It was the very essence of the idea of juvenile Courts that they should have as much privacy as possible. A juvenile Court was a place in which magistrates, as a rule specially chosen for their qualifications in this regard, gave their decisions in cases in which children alone were charged with offences. They wanted to get away from the whole character and surroundings of the ordinary police Court, from the criminal atmosphere and the somewhat unsavoury

public that attached to and frequented the ordinary Court of Summary Jurisdiction. They wanted to get away from the procedure in which the poor terrified child was placed high up in a dock, surrounded by numbers of police and with a crowd of persons in the background, too frightened to tell the truth or to understand what was being said, and completely uninfluenced by the proceedings. What was desired was that in a sort of parental way the magistrate should come into close personal relations with the child and speak to him in a more human fashion than was possible in the ordinary surroundings of a police Court. That could only be done if the general public were not allowed to throng these Courts. The clause provided that the parties, the solicitors, counsel, and other persons directly concerned in the case, should have an absolute right of attending, and other persons should have a right of attending if the Court so gave leave in a particular case, but the general public should be excluded for the reasons he had given. From the point of view he had just been mentioning, of the general character of the juvenile Court, it did not matter if one or two reporters were there, while from the point of view of the administration of justice it was essential that the Press should have a right in all cases to be present. The newspaper reporters were the eyes of the nation, and if they were not there they could never be sure that in particular cases possibly some injustice might not be done. Therefore he was unwilling to permit the exclusion of the public to extend so far as to exclude also the representatives of the Press, and for these reasons these words were inserted in the Bill. The hon. Member for Norwood assumed that the purpose of the clause was to prevent a child being marked and known as criminal. That was not the purpose of the clause. It did not matter very much to the child whether his name was in the newspapers or not. What mattered was whether the friends and relations knew he had been before a Court of Justice. If they knew, it mattered very little indeed whether the outside public knew or not. From that point of view he did not think this limitation on the privacy of the Court was open to objection, and he trusted the House would permit the clause to remain as it stood.

MR. COCHRANE said that as to the advisability of juvenile courts there was no difference of opinion whatever. The late Home Secretary had taken steps to secure that the trial of children should take place in private. The hon. Member considered that children under certain circumstances would be too frightened if the public were admitted. That might be so in some cases, but, on the other hand, there were many hardened little offenders who appreciated advertisement, and in permitting the Press to attend, they would be gratifying that very taste which the hon. Member would wish not to allow to be cultivated. But it was a fundamental principle that the public should be admitted to the Courts. The hon. Member admitted that, to a certain extent, by admitting the public by special leave. Why could he not extend the same provision as regarded the Press? Why should it not be left to the magistrate to decide whether the Press should be admitted? It was not at all desirable that various incidents in these delicate cases should be made public, and if the public were excluded, the Press would give wider publicity to these delicate details. He supported his hon. friend's Amendment.

\*MR. HORRIDGE (Manchester, E.) said the clause as it stood seemed to put the House in rather a difficulty, because on the one hand one had a very strong feeling that the right of the public to be present in some form or other ought to be retained, and one also felt that the publicity one wanted to avoid in regard to children was put in perhaps its most objectionable form. The suggestion that it should be left to the magistrates was one which was most undesirable. His view of the matter was that upon the whole the right of the public to have some audience was more important than the question as to whether or not a particular child would suffer by publicity. He quite agreed with the first half of the section, because the terrorising of the child by treating it as if it was in a Court and not in a room was avoided, and the right of the public to know what was going on was preserved. On the whole, he thought the Government were right.

CAPTAIN CRAIG said he should certainly support the Amendment. It was most necessary to be cautious in new legislation of this kind, that the public should have the opportunity of studying for themselves if they cared to do so, how juvenile Courts worked. He had in his mind cases where injustice might possibly be done accidentally by the public being excluded. It was very difficult sometimes to find out exactly what case was going on in the Court, and anyone not directly interested in the case was not allowed in. It was just possible that some good-hearted person who was excluded would, if he had been allowed in the room, have decided to take charge of one of the children which would otherwise have been sent to an industrial school, and thus the clause would defeat the end of making the future life of the child as comfortable as possible. He did not think the Court would be overcrowded by the class of persons indicated by the Under-Secretary. The public as a whole were very sympathetic in any case where sympathy was to be extended, and no unnecessary noise or applause was ever allowed. The more difficult it was made to commit children to these homes, the better. The children would be practically unknown to the public which would not take very much interest in reading the cases, and they would sink into oblivion as soon as they were tried. Therefore an increasing inducement might possibly be held out to the magistrates to commit boys straight off to a home. It was an advantage to many of these homes to have boys committed to them, and the more difficult it was made the better. They got a Government grant, and he understood in Ireland there was only one industrial home that ever had to submit its annual report and statements of accounts to any Government auditor. The consequence was that the more boys they got into these homes the larger grant they got, and they turned it into a business transaction. The Bill would be an improvement if this were struck out.

SIR F. BANBURY said the hon. Member for East Manchester had made an admirable speech in favour of this Amendment. He put his arguments very clearly; he was surprised to

hear him wind up his speech by saying that he was going to support the Government. In Clause 118 they had already provided for all the evils which the Under-Secretary anticipated. They had been told that as long as the parents knew what was going on, it did not matter about the public knowing. In that case what harm could be done by accepting this Amendment, because the damage to the reputation of the child would have been done by the publication of possibly garbled or inaccurate reports in the Press. More harm might be done by the Press than by allowing a few people to remain at the back of the Court. For those reasons he should support the Amendment.

\*MR. REES said there seemed to be a consensus of opinion that subsection (2) was sound, and the only doubt was as to whether the Press should be excluded. It was too late in the day to discuss whether the Press should be excluded. The Press had been described as "the eyes of the nation," and if this proviso were omitted he did not think it would conduce to the popularity of the Bill. In Montgomeryshire he was sure the exclusion of the Press would be very much objected to by those who wanted, for good and sufficient reasons to watch the working of the Act. The Press representatives when appealed to were always very willing to exclude anything that it was undesirable to publish, and he did not think the representative of any decent newspaper would wish to publish anything prejudicial to the future life of a child. Besides if the Press nowadays wanted to get hold of anything they would get it, and, therefore, it was much better to give them proper facilities. It might be said of the newspapers, as was said of one-half of their readers—

"If she will, she will, you may depend on't.  
If she won't, she won't, and there's an end on't."

MR. RAWLINSON said the hon. Member opposite had misunderstood the position, because the Press and the public would still be at liberty to attend the Court. The point was that the public ought to be admitted to this new Court. They had been talking quite casually about taking children away from their mothers, but there was no better lesson to be given to the public than to be present in Court, as he had often been, on

*Sir F. Banbury.*

occasions when orders had been made. The magistrates ought to be carefully watched by the public, and he submitted that this was a most reasonable proposal.

MR. GOULDING (Worcester) said the Under-Secretary had given as a reason for the retention of this subsection that similar transactions had taken place in Germany and the United States with beneficial results. He had also argued that if the public were left out the magistrates would adopt a different tone than they would if the public were admitted. It was also stated that if the Court was practically empty the magistrate would be inclined to adopt a paternal tone. He had a greater opinion of the Bench than to think that they would be influenced in that way, because he was sure they would deal with all cases on their merits. It should not be over-looked that this Bill dealt not only with children but with youths up to the age of sixteen, and instead of leaving the question of publicity to the magistrates, Parliament was laying down that the public should be excluded. He believed in both the Press and the public being present. Many of the children would be wayfarers, with no one to look after them and no relatives as parties to the case. He much preferred the safeguard of open Courts and publicity. If there was anything likely to arise in a case in regard to which publicity was undesirable, the magistrate could be allowed to clear the Court, but in the vast majority of cases there would be no cause for alarm. He hoped his hon. friend would press his Amendment to a division.

MR. CARLILE (Hertfordshire, St. Albans) said his hon. friend had covered most of the objections to this Amendment. He would like to know why the members of the Bar were to be excluded from these Courts. It was important that barristers, who would no doubt take a special interest in defending cases in which children were concerned, should have free access to such Courts, but under the provisions of this section the members of the Bar, if not immediately concerned or retained in connection with the particular charge being tried, would be excluded from the Court.

\*MR. HERBERT SAMUEL: The Court may give leave.



MR. CARLILE said the magistrates could clear the Court without this provision.

\*MR. HERBERT SAMUEL: They have no power to do that now.

MR. CARLILE said he knew that they had cleared the Court again and again. He had not heard that they had exceeded their power in doing so. Why should they pass a special provision which would exclude members of the Bar from the Court? It was in every way desirable that those gentleman should have access to the Court from the educational point of view and that they should have the opportunity of learning the nature of the difficulties which surrounded child life. He sincerely hoped on that ground that the Amendment would be accepted. It was also most desirable that police court missionaries should have access to the Court, because they were interested in the reclamation of those who had gone wrong, and also in preventive work in relation to young persons. Why should Parliament at this time of the day hamper and hinder the police court missionaries, who were hand in glove with the bench in preventive and reclamation work? Surely it could not be necessary under this Bill to exclude from the Court missionaries and charitable persons who would be likely to render aid in the case of children.

\*MR. HERBERT SAMUEL: It does not.

MR. CARLILE said that unless the Court missionaries were in the case they could be excluded from the Court under this objectionable provision. The magistrates ought to have a free hand in the matter. He thought a strong case had been made out against the retention of the section. He hoped the Under-Secretary would accept the Amendment. This was not a party question, and he appealed to hon. and right hon. Gentlemen to support the Amendment, which went a long way towards providing for the welfare of the children concerned.

SIR GILBERT PARKER (Gravesend) hoped the Amendment would be accepted. He did not think sufficient consideration had been given by the Under-Secretary to the question which had been raised.

He admitted that the intention of the Government was good, namely, to exclude from the Court of Summary Jurisdiction any element of sensationalism, to do away with curiosity, and not to minister to the baser minds of a sensation-loving public. But there was something far more important than that. This was a new experiment, and it was absolutely necessary that the public and the Press should have an opportunity of judging what that experiment was doing. What opportunity would they have if the proposal of the Government were adopted? In establishing such a Court as this, which made a demand on the good feeling and commonsense of the community, it was absolutely necessary that the community should be convinced. If the Court were established under the proposed conditions there would immediately be created doubt and anxiety in the minds of the public generally. They were at the very beginning of this experiment, and it seemed to him that the Government were taking the worst possible course in excluding from the Court influences which could only be for good. The hon. Gentleman said the magistrates had no power to clear the Court. He would have received the support of hon. Members on that side of the House if he had suggested that that power should be given to the magistrates in this particular case.

\*MR. HERBERT SAMUEL said that the magistrates had only power to clear the Court in case of disturbance.

SIR GILBERT PARKER asked whether he was to understand the hon. Gentleman to say that the magistrates had no power to clear the Court except in case of disturbance.

\*MR. HERBERT SAMUEL said the magistrates had no power to say that the public should not come into Court. In the Children's Court at Birmingham they were only able to exclude the public by persuasion.

SIR GILBERT PARKER said that was exactly what he wished to arrive at. Did he understand the hon. Gentleman to say that if in a case tried in the juvenile offenders Court it was deemed desirable in the public interest that the unpleasant circumstances connected with



it should not be stated in open Court, the magistrate would not have the right to say to the people in the Court, "You must leave." If that was so, the hon. Member had not taken the right course. The Government ought to have trusted to the discretion of the magistrates. They had always conducted the Courts of this country with singular discretion, tact, and good judgment. The Court proposed to be established ought to have over it the supervision of honest and sincere public opinion. He did not believe that one in a thousand would go to Court to hear children tried, except from sympathy with them in their miseries and shame. It was desirable that the public should be able to learn from day to day through the Press of the evils which the Court was intended to deal with effectively. Reference had been made to the children's Courts in the United States. These Courts had proved most successful, but he did not understand that they were on the same basis as the Court proposed by this clause. In this case the magistrates were tied down to impose the strict penalties which the Bill provided for, while in the United States Courts the Judges had almost absolute discretion. The two things were not on all fours, and the hon. Member was not well advised in referring to the

United States Courts to justify this particular proposal.

\*MR. HERBERT SAMUEL expressed the hope that the Amendment would not be pressed. He felt convinced that if the Amendment were accepted and the subsection omitted, the object they had in view would be completely defeated. Many of his hon. friends took the keenest interest in this particular subsection, but they had not spoke in defence of it, merely because they wished to economise the time of the House. He knew that generally on that side of the House his action would be deplored and condemned if he accepted the Amendment. In order to induce hon. Members not to press it, he would not move the next Amendment standing in his name to insert the word "special." He hoped that would remove some, if not the whole, of the objection to the clause. There was an understanding that the discussion on the Report should finish and the Third Reading be taken by 8.15, and also that some Amendments to the Prevention of Crime Bill should be considered. He appealed to hon. Members to allow the division to be now taken.

Question put.

The House divided :—Ayes, 235; Noes, 75. (Division List No. 265.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Asquith, Rt. Hon. Herbert Henry  
Astbury, John Meir  
Atherley-Jones, L.  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sir John E. (Somerset)  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)  
Beck, A. Cecil  
Bell, Richard  
Bellairs, Carlyon  
Belloc, Hilaire Joseph Peter R.  
Benn, Sir J. Williams (Devonport)  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Bethell, Sir J. H. (Essex, Romford)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Boulton, A. C. F.  
Brace, William  
Bramsdon, T. A.  
Branch, James

Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hon. Sydney Charles  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Causton, Rt. Hon. Richard Knight  
Cawley, Sir Frederick  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Clough, William  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Corbett, CH (Sussex, E. Grinstead)  
Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.  
Cox, Harold  
Crooks, William  
Crosfield, A. H.  
Crossley, William J.  
Curran, Peter Francis  
Dalziel, James Henry  
Davies, M. Vaughan (Cardigan)  
Davies, Timothy (Fulham)  
Dickinson, W. H. (St. Pancras, N.)

Dickson-Poynder, Sir John P.  
Dilke, Rt. Hon. Sir Charles  
Dobson, Thomas W.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Dunne, Major E. Martin (Walsall)  
Ellis, Rt. Hon. John Edward  
Erskine, David C.  
Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Findlay, Alexander  
Freeman-Thomas, Freeman  
Fullerton, Hugh  
Gilhooly, James  
Gladstone, Rt. Hon. Herbert John  
Glen-Coats, Sir T. (Renfrew, W.)  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Grant, Corrie  
Greenwood, G. (Peterborough)  
Grey, Rt. Hon. Sir Edward  
Gulland, John W.  
Gurdon, Rt. Hon. Sir W. Brampton  
Harcourt, Rt. Hon. L. (Rossendale)  
Harcourt, Robert V. (Montrose)

*Sir Gilbert Parker.*

Hardie, J. Keir (Merthyr Tydvil)  
 Harmsworth, R. L. (Caithness-sh)  
 Hart-Davies, T.  
 Harwood, George  
 Haworth, Arthur A.  
 Hazel, Dr. A. E.  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Holt, Richard Durning  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Hodson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Maclean, Donald  
 McCrae, Sir George  
 McLaren, Sir C. B. (Leicester)  
 McLaren, H. D. (Stafford, W.)  
 Maddison, Frederick  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Micklem, Nathaniel  
 Molteno, Percy Alport

Mond, A.  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn. A. C. (Kincard)  
 Myer, Horatio  
 Nannetti, Joseph P.  
 Napier, T. B.  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rees, J. D.  
 Richards, T. F. (Wolverh'mpt'n)  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Robson, Sir William Snowden  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie

Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tillett, Louis John  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Walsh, Stephen  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Weir, James Galloway  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. McKinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

### NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Banbury, Sir Frederick George  
 Baring, Capt. Hn. G. (Winchester)  
 Beach, Hn. Michael Hugh Hicks  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bull, Sir William James  
 Campbell, Rt. Hon. J. H. M.  
 Cave, George  
 Cecil, Lord R. (Marylebone, E.)  
 Costes, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Craig, Charles Curtis (Antrim, S)

Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Douglas, Rt. Hon. A. Akers-  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Gordon, J.  
 Goulding, Edward Alfred  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George

Heaton, John Henniker.  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Joynson-Hicks, William  
 Keswick, William  
 Kimber, Sir Henry  
 Law, Andrew Bonar (Dulwich)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 Marks, H. H. (Kent)  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount

Morrison-Bell, Captain  
Nield, Herbert  
Parker, Sir Gilbert (Gravesend)  
Pease, Herbert Pike (Darlington)  
Percy, Earl  
Powell, Sir Francis Sharp  
Randles, Sir John Scurrah  
Roberts, S. (Sheffield, Ecclesall)

Ronaldshay, Earl of  
Rutherford, John (Lancashire)  
Scott, Sir S. (Marylebone, W.)  
Smith, F. E. (Liverpool, Walton)  
Smith, Hon. W. F. D. (Strand)  
Stanier, Beville  
Staveley-Hill, Henry (Staff'sh.)  
Stone, Sir Benjamin

Thornton, Percy M.  
Valentia, Viscount  
Willoughby de Eresby, Lord  
Wyndham, Rt. Hon. George  
Younger, George

TELLERS FOR THE NOES—Mr.  
Rawlinson and Mr. Carlil.

MR. RAWLINSON moved to leave out in Clause 113, the words "or young person." The clause actually prevented anyone under the age of sixteen from being present in a criminal Court. He thought the Government would see that that was carrying restrictive legislation too far. He could understand that children under twelve or thirteen years of age should be prohibited from being present at the trial of certain cases; but though he was as strongly in favour of protecting the morals of young persons as anyone could be, it was going too far to prohibit young persons from being present in Court during the trial of other persons.

LORD R. CECIL said it surely could not be intended to exclude all young persons from criminal Court proceedings. He had always thought that to take schoolboys to listen to the proceedings in selected criminal trials was the finest instruction which could be given to them; and therefore it would, in his opinion, be a thousand pities to exclude young persons up to the age of sixteen from listening to and witnessing such trials. Of course no one would allow them to be in Court in certain cases, but their exclusion should be left to the discretion of the Judge.

Amendment proposed—

"In page 63, lines 34 and 35, to leave out the words 'or young person.'"—(Mr. Rawlinson.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said that there was a good deal of force in the Amendment. The clause as it stood might operate harshly in preventing young clerks from attending criminal trials. In all the circumstances he would accept the Amendment.

Amendment agreed to.

Amendments proposed—

"In page 64, line 19, at beginning to insert the words 'In addition and without prejudice

to any powers which a Court may possess to hear proceedings *in camera* the Court may.'"

"In page 64, line 21, to leave out the words 'the Court may.'"—(Mr. Herbert Samuel.)

Amendments agreed to.

\*MR. CLAUDE HAY (Shoreditch, Hoxton) moved the omission of Clause 118, which relates to the prohibition against pawns being taken from any person under fourteen years of age. Pawnbrokers were not, he maintained, engaged in a business which could be regarded as either wicked or which was detrimental in any sense to those interested in it or to their customers. In many respects pawnbrokers were properly described as the bankers of the poor, and it seemed to pass an unmerited censure upon them to make it appear that a child, apparently under fourteen years of age, who went into a pawnshop to pawn something, was going into a place where he or she could only find evil. It was very hard, if the father was in bed, if the mother who had to look after younger children could not send a child under fourteen years of age to the pawnbroker to provide for the immediate needs of the family. It could not be argued that there had been any evidence accumulated to show that the pawnbroker had been an influence for evil in child life. He believed he was correct in saying that in those cities where there were children's Courts pawnbrokers had been publicly thanked by the magistrates for their assistance in the detection of crime. He was well aware that in the Committee attempts were made to make this clause more stringent than it was, but those efforts were defeated. He was also aware of the strong opposition of those engaged in the pawnbroking trade to anything on these lines. He thought the care of the children and their proper rights, and safeguards for them, could be very well met without this clause becoming part of this Bill. Therefore, he begged to move its omission from the Bill.

Mr. FELL formally seconded the Amendment.

Amendment proposed—

"In page 65, line 1, to leave out Clause 118."—(Mr. Claude Hay.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*Mr. HERBERT SAMUEL said there was no intention, of course, by this clause to place any stigma on the trade of the pawnbroker. It was a respectable trade, sanctioned and controlled by law. At the same time, Parliament had long recognised that it was a trade that provided a means of easily disposing of the proceeds of a theft. For many years past, under the Pawnbrokers Act of 1872, pawnbrokers had been prohibited from having any dealings with children under twelve, though so far as London and Liverpool were concerned the age was sixteen. It was originally proposed in this Bill to make sixteen the universal age, but that had been met with a great deal of opposition in the Committee, and it was finally decided to make the age fourteen, and leave it sixteen in London and in Liverpool. He might further point out that the pawnbroking trade had no objection to this clause. The Pawnbrokers' Association offered no opposition to it. Under those circumstances he hoped the hon. Member would withdraw the Amendment.

Amendment, by leave, withdrawn.

Mr. RAWLINSON, in moving the omission of Clause 119, said that this was the last Amendment that he should propose to this Bill, and for that reason, if for no other, he hoped the Under-Secretary for the Home Department would accept it. He ventured to submit that this clause went much further than any clause ought to do in taking children away from their parents under these particular circumstances, namely, that if the parent went from place to place in the pursuit of work and the child failed to get proper education, a constable should have power to arrest the parent and punish him and take the child away altogether. That

seemed to him particularly harsh. There was the case of a mother who, in all probability, was very fond of her child and treated her well, but who, from the profession she followed, travelled about the country—it might be with a circus or as a hawker, or led a nomadic life of that kind. Owing to that, she was unable to have that child educated as well as it should be, but at the same time she was on perfectly friendly and affectionate terms with the child, and the child was on perfectly affectionate terms with the parent, by whom it was well treated. It was under those circumstances that that child of perhaps six or seven years of age was taken away altogether from the parents and placed in one of these schools. He submitted that that was harsher treatment than was merited by the parent. Yet, if this Bill passed, the child was to be taken away altogether. It was an extremely harsh piece of legislation. The House, he knew, would have been against him if there had been a question of immorality or improper conduct on the part of the parent, as was shown at an earlier period of the Bill. But in a case such as he had suggested it was a monstrous thing to take a child away from its parent and shut it up in an industrial school for good and all. This clause dealt with a class that might not have too many friends, but who at the same time were sincerely attached to their children, and who tried to bring them up as respectable citizens. Under these circumstances he begged to move the omission of the clause.

VISCOUNT HELMSLEY seconded the Amendment. He thought this was a clause which ought not to be allowed to pass, and hoped it would be withdrawn from the Bill. Parliament ought to be very careful in a matter of this kind. The House must remember that this class was an inarticulate class, and that whatever injury they might suffer at the hands of the House, the House would never hear a word of it. It seemed to him to be a very strong order to say that because a person wandered from place to place in pursuance of his trade or avocation, and took his child with him, the law should be allowed to step in and say that the child was to be taken from him. That seemed to him to be



one of the most interfering projects of legislation that had ever been proposed. It could not be a question of such tremendous magnitude as to make it a matter of importance. The Under-Secretary might be able to give the House some statistics on the matter, but he did not think the number of children who evaded education in this way was so great as to make the matter a very important one. It must be remembered that they were not dealing with a bad class of people. In fact they were good people, and people who had great ideas of bringing up their children properly. In point of fact, he had noticed that children of this class had very often a greater regard for their parents, and a greater conception of their responsibility to their parents, than children of other classes seemed to have. Nobody could say, as a whole, that these children were badly brought up or suffered from having a lower standard of education than those children who had a permanent residence in a town. After all, there were other forms of education than that given in the elementary schools of the country, and some of these children obtained a far more valuable education through their mode of life and were taught how to maintain themselves in life in a far better way than the children of the schools. Hon. Members ought to ask themselves whether the advantage to be gained by the clause was sufficient to counter-balance the great injury which it was going to inflict upon the parents of the children themselves. That it would inflict a great injury, nobody would deny. He hoped, therefore, the House would consider the matter very carefully before they passed such a clause as this.

**Amendment proposed—**

"In page 65, line 7, to leave out Clause 119."—(*Mr. Rawlinson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

\*MR. HERBERT SAMUEL said the hon. Members who moved and seconded this Amendment had entirely misconceived the purpose of the clause. This was not a clause to enable the children of

vagrants to be sent to an industrial school; that was the law now. This clause was on the contrary intended to obviate that and to provide an alternative by which vagrant children could be rescued. The problem of the vagrant child was one of the most difficult problems to be solved. They must be rescued—although it was quite true there were only a few hundred of them. It was well-known that vagrancy was a most prolific source of crime. It was perfectly certain that vagrancy, so far as children was concerned, was in many cases an apprenticeship to crime and there was nothing which those interested in questions of child welfare desired more than that this problem should be solved. He agreed that it was harsh to step in and say to a person: "Because you are a vagrant your child shall be taken away from you," but that was the law under the Industrial Schools Act, which said that children found wandering and not under proper care and guardianship should be brought into the industrial schools. Proper guardianship had been interpreted to mean that a person of the tramp class, without any permanent abode, might not be a proper guardian for his child. Indeed circulars had been issued by the Home Office to that effect in order to clear up the doubt in the minds of certain magistrates. This section of the Industrial Schools Act had not been put into operation very largely, because a child could not be sent to an industrial school unless the local authority would pay for it. Local authorities very naturally said: "Why should this child, who is merely passing through our county, be educated and kept by us for four or five years?" One could not blame the local authority, and the question was what other course could be adopted, so far as these children were concerned. It had been a matter of very great anxiety to him in framing this Bill. To say that they must go to an industrial school was to relieve that parent of all responsibility, because it was impossible to collect the contribution from the vagrant parent, for the reason that the child having been got into the school, when it was desired to collect the contribution, it was found the parent had wandered away. The clause no doubt did repeat the present law with regard to industrial schools, but

*Viscount Helmsley.*



it brought in a new and alternative machinery. It applied the machinery of the Education Acts to these cases. It was necessary to adapt the machinery of the Acts in order to make it applicable to and enforceable in these particular cases, for those Acts contemplated a stationary population, and were useless in the case of parents who wandered with their children through the areas of a series of education authorities. The home worker was not allowed to keep his child from school, and in the same way it was proposed to punish these men if they deprived their children of the benefits of elementary education. So far as taking the child away from the parent was concerned, that was not a new provision, and, as was the case at present, it would be rarely enforced. The Government believed that the result of the clause would be that these children would be left with some relative or put out to board in some way, as showmen now dealt with their children. It was the vagrant alone, who carried his child from place to place, whom this clause would touch. It was the only practical way of dealing with the problem.

VISCOUNT MORPETH said the Under-Secretary had hardly been so convincing as he generally was with regard to this Amendment. The hon. Gentleman proposed to repeat a law which was already in operation. His (Viscount Morpeth's) point was that when it had been discovered that a particular course was futile in the first place, there was no utility in repeating it. To repeat it did not make it any more efficacious, it simply clogged machinery with one more useless piece of mechanism. The hon. Gentleman called in another bit of machinery, viz., one of the provisions of the Education Act, for the enforcement of education, through the attendance officer. But that was not likely to be more efficacious than the other system. The hon. Gentleman had told the House that a great many people now slipped through the compulsory clauses of the Education Act. Everybody knew, for instance, that there were a large number of people resident in the great cities who were always moving from house to house. No sooner had the attendance officer scheduled them as

being in one district than they moved into another, and it was notorious that by this method, large numbers of children escaped the compulsory provisions of the Education Act, although resident in great cities. How was it possible that the children of vagrants moving all over the country could be caught by the attendance officer? There would be no onus on any local authority to do this, because they would not be desirous either to find accommodation, or to provide for children who did not belong to their district. Earlier in the afternoon he had supported the hon. Gentleman because he recognised that where parents were vicious or immoral it was only right that the State should step in and remove the child from the parent who, by his vice and immorality, had rendered it necessary. But these persons whom they were now dealing with had not committed any crime or done anything sufficiently bad to render it necessary that these children should be taken from them. Although there were bad people amongst them, and although a vagrant life must facilitate crime, it was not proved that these people were so bad, that their children should be taken from them. He hoped the Government would give a friendly consideration to this Amendment, as he thought the Government were going too far by this clause, by which it was proposed to remove children from the custody of their parents when it could not be proved that the parents were doing the least harm to their children.

MR. MACLEAN (Bath) did not for a moment deny the kindness of the motives which actuated the mover and seconder of the Amendment, but he did not think they quite realised the difficulties of the problem with which the clause sought to deal. It was intended by this clause to get at that section of the vagrant class who habitually ill-treated and neglected their children. To show that this was a real problem, he pointed out that during the past few years the Society for the Protection of Cruelty to Children had had to deal with 35,000 children, who had been severely ill-treated and neglected by those who were in charge of them. In many cases the persons who had the control of these

children were not the parents at all, but persons who had hired them and hawked them about all over the country. Not long ago there was a little girl about seven years of age who had only one leg. She was discovered, probably in a common lodging-house, by a vagrant who had only one arm, who thought it would be a very happy combination for extracting the sympathy and financial support of the public. What did he do? He took the little child he had picked up for some consideration with him, and ultimately it was found with its stump exposed, and after, at an examination, to have suffered from horrors which could scarcely be alluded to. That man was sent to prison for twelve years. Another case was that of a woman who was taking her own child about the country. The condition of that child was too vile for comment. Its head was a moving mass of vermin. There were other cases which might be mentioned. He admitted that what was in the mind of the mover of the Amendment was that these cases were already efficiently dealt with, but that was not so. These children must be rescued before they arrived at that condition, and they could be rescued. That was the problem with which they had to deal. It was not dealt with by the present law, and this was the most effectual way of dealing with it. He earnestly hoped, in view of what the Under-Secretary had said, and of the general information before the House, that all would help to save this class of children from the suffering to which they were unnecessarily subjected at the present time.

\*MR. LUPTON (Lincolnshire, Sleaford) associated himself with those who moved and seconded this Amendment. He thought it was a most drastic thing to say that a man who was moving about the country in a caravan, it might be with his children, should be arrested because his child could not spell "receive." It had been held by a magistrate in London that if a child misplaced the vowel in the word "receive" he had not an efficient elementary education, and he thought that such a drastic clause as this should never be passed by a British House of Commons. Clause 12 dealt with every possible case of parents who

exposed, ill-treated, or neglected their children, or caused unnecessary suffering in the way to which the hon. Member for Bath had referred, and therefore this provision was not necessary for that purpose, as the parents were already liable to two years' imprisonment. The hon. Member dealt with this, as if in cases in which parents were fond of their children and their children were fond of them, it was not a great hardship to snatch a parent from a child or *vice versa*, because the child had not got this elementary education. The question was what was elementary education, and who was the proper person to give it? Was it some youth or girl acting as a pupil teacher, with a class of fifty children in an overcrowded school-room, or was it for the mother of the child to give it under circumstances in which fresh air could be obtained? There was in these days of sanitary reform a movement to procure for children fresh air, and how could the child be better off or happier than going about the world with its parents? What did a little smattering of the A. B. C. or of arithmetic which a child got in schools, and which was frequently forgotten, matter, unless the knowledge was kept up afterwards? Here they were going to snatch these children from parents who, no doubt, had an honest mode of life, which prevented them from stopping in towns and sending their off-spring to school regularly. Where mother and child had lived together for a number of years, they were often "bound up in each other," and to take an infant away from a parent under those circumstances might be very serious indeed. If the child went to an industrial school the parent did not know what sort of treatment it was given. In some of these schools there was a great deal of stick. There was a good deal of talk about the birth rate declining, but it seemed to him that if they persecuted the parents of children in this way, it was likely to lead to a still further decrease of it. Then there was a good deal of talk about population aggregating in towns, but this would make it impossible for parents except in towns to have their children educated. The scientific experience of the last thirty years taught us not to separate the parents from the

Mr. Maclean.

children if we could help it, although he knew there was a certain school of thinkers who thought that the parent was the very worst person to have the charge of a child of their own, but he did not think the hon. Gentleman who had so cleverly and courteously conducted this Bill through the House was one of that sort. He hoped he would accept the Amendment.

\*MR. R. DUNCAN (Lanarkshire, Govan) thought they were dealing with a very difficult problem. This clause recognised no distinction between very different kinds of people, but in fact there was a great difference between, on the one hand, itinerant dealers and those who lived in "houses on wheels" (caravans, etc.), and

on the other hand, the abject wanderers they too often encountered in the high-ways and bye-ways of our land. They did not want to see these vagrants carrying children around the country with them who were wretched and dirty, but it seemed to him that the clause went much too far, especially for a penal clause. While he thought the country was bound to see that every child had some education, he thought this clause went too far, and as it was so stringent he should be compelled to vote for the Amendment.

Question put.

The House divided:—Ayes, 206 ; Noes, 69. (Division List No. 266.)

### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Beck, A. Cecil  
Bell, Richard  
Bellairs, Carlyon  
Benn, Sir J. Williams (Devonp'rt)  
Benn, W. (Tow'r Hamlets, S. Geo)  
Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Bethell, T. R. (Essex, Maldon)  
Black, Arthur W.  
Brace, William  
Brampton, T. A.  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Byles, William Pollard  
Cameron, Robert  
Cawley, Sir Frederick  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Clough, William  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Corbett, C. H. (Sussex, E. Grins'd)  
Cornwall, Sir Edwin A.  
Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Cowan, W. H.  
Cox, Harold  
Crail, Sir Henry  
Crooks, William  
Crosfield, A. H.  
Crosley, William J.  
Curran, Peter Francis  
Dahiel, James Henry  
Davies, M. Vaughan (Cardigan)

Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dobson, Thomas W.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Dunne, Major E. Martin (Walsall)  
Ellis, Rt. Hon. John Edward  
Erskine, David C.  
Essex, R. W.  
Esslemont, George Birnie  
Everett, R. Lacey  
Fenwick, Charles  
Findlay, Alexander  
Fullerton, Hugh  
Gladstone, Rt. Hn. Herbert John  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Grant, Corrie  
Greenwood, G. (Peterborough)  
Grey, Rt. Hon. Sir Edward  
Gulland, John W.  
Gurdon, Rt. Hn. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Harcourt, Rt. Hn. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Harmsworth, Cecil B. (Worcest'r)  
Harmsworth, R. L. (Caithn'ss-sh)  
Haworth, Arthur A.  
Hazel, Dr. A. E.  
Henderson, Arthur (Durham)  
Henderson, J. M. (Aberdeen, W.)  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon., S.)  
Higham, John Sharp  
Hodge, John  
Holden, E. Hopkinson  
Holland, Sir William Henry  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Hudson, Walter  
Hyde, Clarendon  
Isaacs, Rufus Daniel  
Johnson, W. (Nuneaton)  
Jowett, F. W.  
Kekewich, Sir George

King, Alfred John (Knutsford)  
Lamb, Edmund G. (Leominster)  
Lamb, Ernest H. (Rochester)  
Lehmann, R. C.  
Lever, A. Levy (Essex, Harwich)  
Levy, Sir Maurice  
Lewis, John Herbert  
Macdonald, J. R. (Leicester)  
Maclean, Donald  
M'Callum, John M.  
M'Crae, Sir George  
M'Kenna, Rt. Hon. Reginald  
M'Laren, Sir C. B. (Leicester)  
M'Laren, H. D. (Stafford, W.)  
Maddison, Frederick  
Mallet, Charles E.  
Markham, Arthur Basil  
Marks, G. Croydon (Lauceston)  
Marnham, F. J.  
Mason, A. E. W. (Coventry)  
Massie, J.  
Masterman, C. F. G.  
Micklem, Nathaniel  
Molteno, Percy Alport  
Mond, A.  
Morgan, G. Hay (Cornwall)  
Morrell, Philip  
Morton, Alpheus Cleophas  
Murray, Capt. Hn. A. C. (Kincard)  
Myer, Horatio.  
Nannetti, Joseph P.  
Napier, T. B.  
Nicholls, George  
Norman, Sir Henry  
Norton, Capt. Cecil William  
Nussey, Thomas Willans  
Nuttall, Harry  
Parker, James (Halifax)  
Pearce, Robert (Staffs, Leek)  
Pearce, William (Limehouse)  
Pickersgill, Edward Hare  
Pollard, Dr.  
Ponsonby, Arthur A. W. H.  
Price, C. E. (Edinb'gh, Central)  
Raphael, Herbert H.  
Rea, Russell (Gloucester)  
Rees, J. D.

Richards, T. F. (Wolverh'mptn)  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Rowlands, J.  
 Russell, Rt. Hon. T. W.  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Stanger, H. Y.

Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Sutherland, J. E.  
 Talbot, Lord E. (Chichester)  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tillett, Louis John  
 Torrance, Sir A. M.  
 Toulmin, George  
 Ure, Alexander  
 Verney, F. W.  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.

Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Weir, James Galloway  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Willoughby de Eresby, Lord  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master  
 of Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Atherley-Jones, L.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Banbury, Sir Frederick George  
 Baring, Capt. Hn. G. (Winchester)  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Belloc, Hilaire Joseph Peter R.  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bull, Sir William James  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Collins, Sir Wm. J. (St. Pancras, W)  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Douglas, Rt. Hon. A. Akers-  
 Duncan, Robert (Lanark, Govan)

Faber, George Denison (York)  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gordon, J.  
 Gretton, John  
 Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Joynson-Hicks, William  
 Kennaway, Rt. Hon. Sir John H.  
 Keswick, William  
 Kimber, Sir Henry  
 Law, Andrew Bonar (Dulwich)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lupton, Arnold  
 MacCaw, William J. MacGeagh  
 M'Calmont, Colonel James

Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Middlemore, John Throgmorton  
 Moore, William  
 Morpeth, Viscount  
 Nield, Herbert  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Randles, Sir John Scurrah  
 Renwick, George  
 Ridsdale, E. A.  
 Roberts, S. (Sheffield, Ecclesall)  
 Rutherford, John (Lancashire)  
 Stanier, Beville  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Valentia, Viscount  
 Wyndham, Rt. Hon. George  
 Younger, George

TELLERS FOR THE NOES—Mr.  
 Rawlinson and Viscount  
 Helmsley.

## Amendments proposed—

“In page 68, line 10, after the word ‘Act,’ to insert the words ‘except an offence under the Criminal Law Amendment Act, 1885.’”

“In page 69, after the word ‘child,’ to insert the words ‘or young person.’”—(Mr. Herbert Samuel.)

## Amendments agreed to.

\*MR. HERBERT SAMUEL said he had undertaken when they reached the definition clause to bring up a definition of “intoxicating liquor,” and he begged, therefore, to move as an Amendment a form of words adapted from the Licensing

Acts, and which he had not been able to put on the Paper.

## Amendment proposed—

“In page 71, line 15, at end, to insert the words ‘The expression “intoxicating liquor” means any fermented, distilled, or spirituous liquor which cannot according to any law for the time being in force be legally sold without a licence from the Commissioners of Inland Revenue.’”—(Mr. Herbert Samuel.)

Question proposed, “That those words be there inserted.”

MR. BOWLES asked whether that definition excluded all patent medicines



or preparations of that kind? He understood that some of these preparations were fermented and many of them were distilled and could not be sold otherwise than with an excise licence.

\*MR. HERBERT SAMUEL said he did not think that these would be included, but he would consider the point and, if necessary, deal with it.

Question put, and agreed to.

THE ATTORNEY-GENERAL FOR IRELAND (MR. CHERRY, Liverpool, Exchange) said the next Amendment was a drafting Amendment. Some objection had been taken in Committee to the drafting of the subsection dealing with summary jurisdiction in regard to children, the Act of Parliament for Ireland being slightly different from the corresponding Act in this country. He moved an Amendment to leave out subsection 7, and to insert another subsection which would make the law similar in both countries.

Amendment proposed—

"In page 77, line 23, to leave out subsection (7), and to insert the words: '42 & 43 Vict., c. 49. 47 & 48 Vict., c. 19. (7) References to the Summary Jurisdiction Act, 1879, shall, save as otherwise provided in this subsection, be construed as references to the Summary Jurisdiction over Children (Ireland) Act, 1884, and the reference to Section 10 of the first-mentioned Act shall be construed as a reference to Section 4 of the last-mentioned Act. 14 & 15 Vict., c. 93. The reference to the provisions of the first-mentioned Act with respect to recognisances to be of good behaviour shall be construed as a reference to the provisions of the Petty Sessions (Ireland) Act, 1851, with respect to recognisances to keep the peace. The reference to the First Schedule of the first-mentioned Act shall not apply. For the provisions of this Act giving power to make rules under the first-mentioned Act, the following provision shall be substituted: The Lord Chancellor of Ireland may make rules regulating the procedure of Courts of Summary Jurisdiction under this Act, and other matters incidental thereto, and all rules so made shall be laid as soon as may be before both Houses of Parliament.'"—(Mr. Cherry.)

Amendment agreed to.

Amendments proposed—

"In page 79, line 37, after the word 'Board,' to insert the words 'for Ireland.'"

"In page 80, line 39, after the word '1907,' to insert the words 'or any of those Acts.'"

"In page 81, line 29, after the word 'Board,' to insert the words 'for Ireland.'"

"In page 81, line 32, to leave out the words 'district board,' and to insert the words 'managers of a district Poor Law school.'"—(Mr. Cherry.)

Amendments agreed to.

MR. CHERRY next moved an addition to Clause 132, having reference to the Criminal Evidence Act, 1898, and said the Amendment which he submitted was suggested by reason of certain alterations which the House had made in Clause 26. The General Evidence Act, 1898, did not apply to Ireland; therefore, it was necessary to make the law as to evidence exactly the same in Ireland as it was in England.

Amendment proposed—

"In page 81, line 37, at end, to add the words: '61 & 62 Vict., c. 36. The reference to the Criminal Evidence Act, 1898, shall not apply, but in any proceeding against any person for an offence under Part II. of this Act, or for any of the offences mentioned in the First Schedule to this Act, such person shall be competent but not compellable to give evidence, and the wife or husband of such person may be required to attend to give evidence as an ordinary witness in the case, and shall be competent but not compellable to give evidence.'"—(Mr. Cherry.)

Question, "That these words be there inserted," put, and agreed to.

Amendments proposed—

"In Schedule 3, page 85, line 3, in the third column, before the word 'In,' to insert the words 'Subsection 1 of Section 5 from the words 'and if the young person is a male,' to end of subsection.'"—(Mr. Cherry.)

"In Schedule 3, page 85, lines 16 and 17, to leave out the words 'before he is sent to such reformatory school, and to insert the word 'as if he or she had been sworn.'"—(Mr. Herbert Samuel.)

Amendments agreed to.

\*MR. HERBERT SAMUEL said the hour being near for private Bills, he would only formally move the Third Reading, expressing at the same time his deep gratitude for the favour with which the Bill had been received by the House.



Motion made, and Question proposed,  
 "That the Bill be now read a third time."

MR. AKERS-DOUGLAS (Kent, St. Augustine's) said he raised no objection to taking the Third Reading at the present moment. He would not trouble the House with any eulogy, but he should like to refer to the manner in which the hon. Gentleman opposite had conducted this Bill both through Committee upstairs and through the Report stage. By his courtesy and lucidity of explanation the Under-Secretary had been enabled to get this very long measure successfully through both these stages, and they were all very glad indeed to think that it would find its place in the Statute Book. It was never a Party measure. There were three or four clauses which they thought created new offences and to which they had objected, but so far as the Bill as a whole was concerned, it was a measure of which they thoroughly approved.

\*MR. LUPTON (Lincolnshire, Sleaford) said he should have had pleasure in voting for the Third Reading of the Bill if it had not been for the terrible penalties with which it was disfigured. Clause 12, for instance, dealt with the offence of not giving adequate food or clothing or lodging, or not calling in medical attendance, for which a person might be sentenced to two years imprisonment. It might be right to punish people for some failure in their duties, but it was not right to punish them to this extreme severity. In the 19th century they made great advance in the treatment of these offences, and reduced the scale of punishments to a great extent. He thought that they sometimes forgot that this was the 20th century, and, in drafting Bills, framed penalties of the most awful and terrible and horrible kind for offences committed by their fellow creatures. If this penalty were two months instead of two years it would have been quite sufficient. It would be very useful if every one of the Members of that House were sent to prison for two months—one month of ordinary imprisonment and the other month of hard labour. [AN HON. MEMBER: You would go.] He dared say some of them would not come out alive; but he should be

willing to sacrifice himself if the others also went to gaol and the very fact of their having had the experience would he hoped lead to Bills not being disfigured with these horrible and terrible sentences, which were a disgrace to the age and to civilisation. He made these remarks in the hope that someone would recollect there were persons who objected to these drastic penalties, and were determined to oppose them. He could not find it in his heart and conscience to support a Bill which had such terrible penalties, and which reminded him of the middle ages and not the 20th century. He thought the Bill was intended to promote feelings of love and gentleness, and that the penalties should have been of a milder character, but for the reasons he had given he most respectfully objected to the Bill.

Bill read the third time, and passed.

#### WHITE PHOSPHORUS MATCHES PROHIBITION BILL.

Order for Second Reading read.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. GLADSTONE, Leeds, W.) moved the Second Reading of the White Phosphorus Matches Prohibition Bill, and expressed the hope that hon. Members would allow it to pass this stage, as it was a measure which had the approval of all sections of the House.

Motion made and Question proposed,  
 "That the Bill be now read a second time."

MR. AKERS-DOUGLAS said he had no objection to the Second Reading being taken at the present moment. He thought it was a very desirable measure, but if there had been time he would have liked the Home Secretary to explain one or two points which arose, though they could be dealt with later. He understood that the right hon. Gentleman had been able to make some terms with the owners of patents, so that in future matches could be made by all match-makers without white phosphorous, and the particular privilege

would not be given to certain firms. These were points on which he wanted to be assured, and he understood that the right hon. Gentleman was in a position to give him an assurance. As far as he was concerned he raised no objection to the Second Reading.

**MR. CLAUDE HAY** said he did not want to prevent the Second Reading being taken, but they wished to have an opportunity for discussion. Would the right hon. Gentleman commit the Bill to Committee of the Whole House?

**MR. GLADSTONE** said he thought that it would be more convenient if the Bill were sent upstairs in the usual course. The points to which the right hon. Gentleman referred would receive consideration, but he hardly thought it necessary to occupy time with them at present.

Question put, and agreed to.

Bill read a second time, and committed to a Standing Committee.

#### LONDON AND DISTRICT ELECTRICITY SUPPLY BILL [LORDS] (BY ORDER).

**THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE** (Sir H. KEARLEY, Devonport) moved: "That it be an Instruction to the Committee to insert in the Bill a provision conferring purchasing powers on the London County Council. That any person affected by such a provision shall be entitled to be heard before the Committee upon any petition presented not later than 22nd October." He said the House would remember that the debate on the Second Reading was somewhat prolonged and animated, and the opportunity did not occur for the Government to deal with this question upon that occasion. It was part of the arrangement that this Instruction should accompany the Bill upstairs to the Committee, hence it had been thought necessary for him to move it at this juncture so that the Bill might get to the Committee without any further delay. He was not inclined to discuss the details of the Bill, indeed he thought he would be out of order in attempting to do so, because the

measure had been ordered a Second Reading. The Instruction itself was extremely simple, and dealt with a single point of substance, namely, that the Committee should insert in the Bill a provision conferring purchasing powers upon the London County Council. He would recall to the minds of hon. Members what happened in the early spring in relation to these electric Bills. They received an invitation from another place to nominate a certain number of members and set up a Joint Committee of Lords and Commons to consider these Bills. The present Chancellor of the Exchequer, who was then at the Board of Trade, was unable to advise the House to accept that invitation, and he made it clear that the reason he tendered that advice was that he thought it was all important that they should retain their freedom and remain untrammelled, so that when the Bill came back from the Lords they would have full freedom to deal with it in any way they thought fit and proper, and that was the reason why they refused to join the Lords Committee. As the House knew the Lords Committee gave these Bills a long and careful consideration, and the proceedings lasted thirty-one days. The London County Council were represented, and they urged that they should be named in the Bill as the purchasing authority. That was strongly resisted by the promoters of the Bill, and their opposition prevailed, for although the Lords favoured purchase, they left the purchasing authority indefinite. He thought that justified the wisdom of the Chancellor of the Exchequer in declining to commit the House, as they would have been committed, had they accepted the invitation from another place to appoint a joint committee. The position was now changed, because the promoters had been told that the Government would give the Bill no support unless they accepted this mandatory Instruction, and their terms had been accepted by the promoters. He begged formally to move the Instruction standing on the Paper in the name of the President of the Board of Trade.

Motion made, and Question proposed, "That it be an Instruction to the Committee to insert in the Bill a provision

conferring purchasing powers on the London County Council. That any person affected by such a provision shall be entitled to be heard before the Committee upon any Petition presented not later than 22nd October."—(Sir H. Kearley.)

MR. ROWLANDS (Kent, Dartford) moved an Amendment to leave out "the London County Council." and insert "a central authority composed of representatives of the municipal authorities owning their electrical supplies within the area covered by the Bill." He said he had listened attentively to the speech in which the hon. Baronet had moved his Instruction, and those who had taken part in the previous stages of this Bill would be quite aware that the statement was absolutely accurate about the amount of feeling which was exhibited on the Second Reading, and also that considerable feeling still existed in the House in regard to this measure. He must say that he expected that the hon. Baronet would have given them some better reason for the attitude of the Government. They had put down a mandatory instruction, and they had told the promoters that unless they were prepared to accept it the Board of Trade could not support this Bill as they did on the Second Reading. He thought the House was fairly entitled to have some reason given from the Board of Trade as to why they had put down this Instruction in the specific terms in which it appeared on the Paper. However, as the hon. Baronet had not thought fit to give them that information—thinking no doubt, that those who had taken such a deep interest in this question were fully conversant with all the issues involved—he would try, in a short space of time, to give to the House a few of the reasons why he proposed the Amendment standing in his name. All those who were conversant with London and Greater London as well as the areas affected outside Greater London, which would be taken in under this Bill, realised that they were not there this evening discussing anything in connection with a small measure. Under the title of a private Bill they were discussing a measure which had received the sanction of the Government, and which, for good or for evil, would affect perhaps one of the largest areas of congested population

that it was possible for any measure of this kind to affect. They ought not for a moment to fail to realise the vast importance of this question. For some reason or other the hybrid Committee of 1906 to which the Bill promoted by the London County Council was referred recommended that the London County Council should be the purchasing authority, but they did so under certain conditions. He supposed the whole of the case of those who supported this instruction rested upon the recommendation of the Committee of 1906. He was fully prepared to give to that Committee and its deliberations all the consideration they deserved, but he thought it was only right the House should know that in the division upon that instruction only eight members of the Committee took part, five being for and three against it. He invited the House seriously to consider what this instruction meant, and what would be the effect upon the great area dealt with under the Bill. First of all, the London County Council governed an area of something like 117 square miles. This Bill extended far and away beyond that area, and he thought his friends on the London County Council had a fair amount of confidence when they asked the House to give to a body governing an area of 117 square miles, and consisting roughly of 130 members, the control over the huge area contained in this instruction. The area under this Bill was three times larger than the London County Council area. It was composed largely of authorities who had created their own municipal supplies, and he always thought that Progressives were strongly in favour of encouraging municipalities in this direction. There were three areas in his own division which had their own municipal supply. They had installed electric lighting and electric trams, and they did not want to come within the area of this Bill. This measure would introduce the competition of a large private concern in those three areas to which he had referred, without giving them any representation. It was quite a new theory for democrats that they should have no right whatever of representation on the body which might, under certain conditions, come in and purchase the whole of the undertaking

they had created. The three areas he had mentioned contained 14,311 acres, and a population of 58,519, who would have no representation whatever on this new body. The three places he referred to were Bexley, Dartford, and Erith, which were just on the outer ring of London. The population of those districts was rapidly increasing, and by the time this Bill came into operation they would be one of the most populous portions of the outer ring of London. To those areas they were going to deny the right of control over the authority set up in this Bill, and there would be no security for the huge enterprises which had been created in those areas by the funds of the ratepayers. This was being put forward as a democratic policy. They were going to say to them: "We deny you any right—any control—over that authority which is to be set up. You are going to have no authority over the huge enterprises which you by your energy and ability, and the funds of your ratepayers, have created." And that was the policy which was advanced as a democratic policy. Gentlemen who opposed that policy were twitted with being retrogressive. If it was retrogressive, he was delighted to be retrogressive in this particular matter. He knew it would be said that they were forgetting one thing. This Bill at present was to be handed over to the hands of the London County Council. He admitted that at present it was only the London County Council area which was referred to, but hon. Members knew that there was going to be a larger London some day. Probably there was, but he had never yet heard that there was to be a larger London which was to cover anything like the area which this Bill covered. The Metropolitan police area extended to a radius of fifteen miles from Charing Cross, and that was generally taken as the area for greater London. But what did this Bill do? It included the borough of Gravesend. Did his hon. friends hope that they were going to take it into London? The Bill took in the small county borough of Croydon, which had a population of 133,000. It said: "We are going to absorb you, and you are going to have no voice." Surely his hon. friends who were Progressives on the County Council

had not forgotten their bitter experience over the water undertakings. Were they like the Bourbons to learn nothing? It was their policy which had landed London in the position it was in with regard to water. It was because they would not meet the municipal authorities in a proper manner; they thought they could extend themselves and absorb everyone else, and the result had been that after a long struggle on their part they failed to convince this House that they should be entrusted with the area of the Water Board. This Bill went far outside of that. So much for the larger London of which they would hear a good deal. He had read the debates, and he was delighted to find the strongest possible arguments in support of his present contention in the speeches of his hon. friends. Let the House consider for a moment the extent of some of the areas proposed to be absorbed by this Bill. He thought very few Gentlemen except those who were deeply interested in this question had really read this Bill and informed themselves with regard to the populations involved in it. The Bill took in areas of 51,947 acres in Essex, with a population of 708,696; of 32,414 acres in Kent, with a population of 214,563; of 25,232 acres in Surrey, with a population of 286,521; and of 52,671 in Middlesex, with a population of 600,168. These were the areas that were to have no representation, although in many cases they had bought up their own supply, with great benefit to themselves. These were the figures to-day. What would be the figures including outer London a few years hence? The population of Greater London might be taken at between 7,000,000 and 8,000,000. He was not pledging himself to a hundred thousand more or less. There was not a speaker who had supported this Bill who had not dwelt on one thing, and that was that there was going to be before long in Greater Outer London—if that term might be used—a population of between 12,000,000 and 15,000,000. He did not care which figure they took. Parliament was being asked in this instruction to say that, by the time the Bill had matured for purchase, the population within the area of the London County Council was



one. It was not reasonable to expect the House to legislate for the representation of borough councils fifty years hence. It was quite reasonable to say that the County Council or some other body named by Parliament should exercise these powers, but it was impossible at present to say how the borough councils were to be represented. The difficulty was that if they made the borough councils the purchasing authority they would only have a part of the area represented, because he thought it was only about half the borough councils who had electrical undertakings in their hands. Another difficulty was that under the present law it would be almost impossible for the borough councils to buy out even the distributing agencies, because there was so much overlapping that the cost of buying out would be absolutely prohibitive, owing to the fact that under the Electric Lighting Acts allowance had to be made for severance, and as a result of that it was quite certain that they would have to have some central body. He personally felt it was very difficult to imagine a central body administering electric power and electric lighting schemes unless it was directly elected. They had been told the Water Board was a parallel case. He did not think it was, because after all the Water Board administered water, which was a universal want, and they would probably never reach the day in London when electricity would be used by everybody. Anyhow it was a long way off. But everybody must use water. He imagined even if hon. Members drank alcohol they occasionally washed. He expected the electors of London would not allow an indirectly elected body to charge the rates with the enormous capital expenditure which would be necessary to buy out the existing electric companies, and especially this bulk supply, and for that reason they must have a directly elected central body. His own feeling was that it ought to be the London County Council. Hon. Members had made rather too much of the point that it was not fair for the London County Council to go outside its own area. After all there was a precedent for it. Although the borough councils in London did not supply consumers beyond their borough boundaries it was quite a common thing in the provinces

for boroughs to get power to supply gas, water, and even electricity beyond their boundaries, by agreement. This Bill did not propose in any way to compel outside authorities to take the electricity of this bulk supply company, and he therefore thought it would be quite safe to constitute the London County Council as the purchasing authority. At the same time he hoped the Amendment suggested by his hon. friend the Member for Dulwich would be accepted. If, however, it was not, he should certainly vote for the instruction of the President of the Board of Trade, because he thought it was most necessary that there should be some central body in London which should take an interest in the organisation of electric supplies, and which should take a comprehensive view of the whole matter.

THE PRESIDENT OF THE BOARD OF TRADE (MR. CHURCHILL, Dundee) thought the House would feel that, whatever might be thought or said about the London and District Bill on its merits and as a main proposition, this debate had been conclusive with regard to the special point before the House. From almost every quarter of the House they had had speeches on the subject of who should be the ultimate purchasing authority and those who had followed the debate would, he thought, agree, if they were forced to choose between the proposition he had put forward and the proposition advanced by his hon. friend the Member for Dartford, that there was, even among all the tangles of London electricity, one problem which was settled. The hon. Member for Dulwich had suggested an addition to the instruction he had put on the Paper, namely, that they should say the County Council "or some other authority to be fixed by Parliament." He did not see any grave objection to those words in themselves, but he would recommend the House not to adopt them. The Government were seeking by this instruction to indicate a general policy for the future. They were seeking to affirm a principle which would certainly govern these Bills so far as they might progress, and which might govern other Bills if these Bills should not reach maturity. What was that principle? It was a large and simple principle. It

*Mr. Walter Guinness.*



was that ultimately, and, for his part, he hoped as soon as possible, there should be one combined, extensive, uniform system of electrical supply for London—for the Metropolitan area—and that the supply should be under the control of the government of London. That was the large, general proposition, and, however they might differ—and the subject was so complicated and vexed, and there were so many cross-currents in it that any man might be pardoned for differing from another—he had the greatest respect for those who took a different view from that which he had put forward—however they might differ upon the main question, surely all those who, from every point of view, would wish to champion the general and large progressive interest of London government could unite in pointing to the London County Council as the future main authority over the electrical supply. He was glad to hear the hon. Gentleman opposite who last spoke and who represented the opinion of the ruling force on the London County Council at the present time, speak no less strongly in support of the prerogative of that great body to be the authority entrusted with this duty than his hon. friends behind him who had spoken. It was not only a question of providing for an authority which was to administer the electrical supply of London when the purchase clauses matured. They had to think of the interval, and they were proposing to assign to a public body purchase rights over a private undertaking, and those rights did not operate until a good number of years had passed. What a safeguard it was to the public interest to vest those rights clearly and unmistakably in a powerful and existing public body, and not to leave it to an embryonic creation which had not yet come into being, something vague, which a Parliament of the future might possibly or might not select or create. How much better it was to have some powerful, trusty custodian of such purchase rights as were secured by the Bill and would ultimately operate. And he was bound to say that when they came to the special question of the merits of the Amendment he felt even greater confidence. As had been pointed out his hon. friend had shown in his speech the vice of his Amendment; he had supported representation on high

democratic grounds, and yet by his Amendment he would exclude nearly half the districts concerned from any share in his proposed representation.

MR. ROWLANDS: Not necessarily.

MR. CHURCHILL said it was so because the Amendment was to substitute for the London County Council "a central authority composed of representatives of the municipal authorities owning their electrical supplies within the area covered by the Bill." There were seventy-seven local authorities within the area, and of these, thirty-five did not own electrical undertakings and so would not be represented at all. The hon. Member had allowed these to slip from his memory, though among them were the City of London, Westminster and Paddington, a great part of central and of southern London. His hon. friend asked the House to create a purchasing body in preference to the London County Council, which would be less representative, less responsible, less competent than the County Council with its experience and ever-growing skill and capacity. This new body would have no rating power, a special statute would be required to effect the purchase, and even if all the difficulties were surmounted, a body would be created that would be but a bad imitation of that Water Board which had been severely criticised on both sides of the House. The question had now been discussed at some length, and he suggested that the House should come to a decision upon the Amendment so that other aspects of the question might be raised by his right hon. friend the Member for Islington and others.

MR. JOHN WARD (Stoke-on-Trent) said he intended to support the Amendment of his hon. friend the Member for Dartford. If the outside areas were compelled to come into this scheme, then they ought to be represented. Those who represented the London County Council seemed to have forgotten the main bone of contention. He happened to be on the Committee which considered the last Bill dealing with the subject promoted by the London County Council. It was proposed under that Bill, as was proposed on this occasion,

that the London County Council should be the authority, but they failed. This was the fourth time they had tried to endow London with an adequate bulk supply of electricity, and he would tell the House that if this Bill were before it with the name of the London County Council on it the measure would receive the same opposition from the hon. Member for Dartford and his friends. What were the facts with regard to the area described by the hon. Member for Dartford? The administrative county of London constituted the most important area of supply; and according to the census of 1901 the county population was 4,500,000, whilst the population of the remainder of the area of supply was only 1,800,000. His hon. friend the Member for Dartford proposed to substitute for the London County Council a central board formed by the municipal and other authorities owning their electrical supply within the area covered by the Bill. Did he call that a democratic body? What had he done for the areas not represented by such places as Dartford? The capital expenditure in the county of London was represented by something like £18,000,000, while that on the area of supply outside the county, including Dartford, was only £2,700,000. This would give a good idea of the respective areas involved in this great question. The London County Council had every reason to safeguard the interest of the areas within London, because they had advanced £5,000,000 to sixteen local authorities to enable them to carry out their undertakings. He might say that their idea in supporting this measure was to do for London the same sort of thing which had been done with eminent success for the great city of Newcastle-on-Tyne and the districts on the north-east coast. The supply of electricity to Newcastle, and to both banks of the Tyne to Durham, Middlesbrough and the surrounding neighbourhood had made the business of these cities and districts advance by leaps and bounds. He would remind his hon. friends that if they did not seize this opportunity of settling the question for London, he saw no prospect of anything being done for London for many years to come.

*Sir John Benn.*

\*MR. DEPUTY - SPEAKER (Mr. CALDWELL, Lanarkshire, Mid.): Order: the hon. Member cannot go into the merits of the Bill.

\*SIR JOHN BENN said he would confine himself to the question before the House, and ask hon. Members to listen to the advice of two or three great Committees which had declared that the London County Council was the proper purchasing authority, as having the greatest interest in the matter. Although the London County Council was at present under the sway of the Party who sat on the opposite side of the House, it was united on this great question as to who should be the purchasing authority.

\*MR. RADFORD (Islington, E.) said that whilst the instruction moved by the Secretary to the Board of Trade seemed to be to him inadequate and not satisfactory, inasmuch as it left untouched the extraordinary purchase clause, he did not think it would be improved by accepting the Amendment of the hon. Member for Dartford. The hon. Member for Devonport—the junior Member—the knighted Member—had given them some reasons which had no great effect on him, as to why they should vote against the Amendment. The hon. Member had voted against the Second Reading of a similar Bill in 1905, and voted for the Second Reading of this Bill last July, and he believed on the present occasion he intended to show his constituents his versatility by not voting at all. There were no other ways in which he could display his versatility. If they considered the suggestion of the hon. Member for Dartford it really amounted to this, that he proposed to set up for this matter of electric supply a second Water Board. He had the advantage of the hon. Member in this respect only, that it was his misfortune to sit for two or three years as a member of the Metropolitan Water Board, which was the greatest fiasco ever attempted in the name of local government. It was composed of sixty-six members, representing, he believed, about half as many again different constituencies.

They were indirectly elected, so that there was not a single man on the Board who had any electors to whom he could appeal or who could call him to account for his conduct. They came from widely distant areas, and the questions discussed in the Water Board were only questions that he might call topographical. They referred to the conflicting interests of different districts which were covered by the Board. There was added to this the vice which was incident to the proposal of his hon. friend that members were elected by different authorities who came into being by elections at different dates. The result was that a man had no sooner become familiar with the routine of the Board than he was happily rejected by his constituents and replaced by somebody else.

**MR. DEPUTY-SPEAKER** (Mr. CALDWELL, Lanarkshire, Mid.): To a certain extent the hon. Member is in order, but he is going too much into detail in the matter.

\***MR. RADFORD** said that as soon as he got to know by sight a man on the Metropolitan Water Board he had been rejected by his constituents and was there no more.

**MR. BARNARD** (Kidderminster) dissenting.

\***MR. RADFORD** said his hon. friend who interrupted him was an instance of the topographical structure of the Metropolitan Water Board. He represented an obscure district he believed in Hertford or some distant county, and was now dominating the Water Board as its Chairman. It was a proposal to reconstruct a Board of this kind which came from the hon. Member for Dartford. He had not told them how many authorities there were who owned electrical undertakings, but there were thirteen in the county of London and he believed twice as many outside, so that they would probably have a composite Board displaying all those topographical indiscretions to which he had referred, and it would be such a travesty of local government as that for which the right hon. Gentleman the Member for Dublin was responsible.

It seemed to him that the state of things in which they had a great governing body like London providing services for some of the outside areas was to some extent anomalous, but it was not a practical difficulty and in the case of some of the great municipalities of the country it had worked with excellent success. It had been felt in Manchester and elsewhere that the functions of municipal service which were exercised by a municipality might well be extended beyond the limits of the borough with general satisfaction. He was prepared to accept the instruction of the President of the Board of Trade, but he hoped when the time came the instruction would be extended so that it might touch the purchase clause which was the essence of the whole measure.

**SIR EDWIN CORNWALL** (Bethnal Green, N.E.) thought the debate showed how difficult this whole matter was. Here they had a conflict between the outside and the inside areas. The hon. Member for Dartford and the hon. Member for Essex came there in conflict with the London County Council, which the Board of Trade suggested should be put into the Bill as the purchasing authority. When they came inside the county they found the hon. Member for Islington, who was leading an attack on behalf of the inside municipal areas, fighting in conflict with the central authority, and so it was from beginning to end. Whether with regard to electric supply in bulk, water supply, or the Port of London, or any big question affecting the enormous population of this great part of the country they had these same difficulties perpetually arising. When they were asked: Why do not you settle things in London as they do in Glasgow or Birmingham or Manchester? the answer was: Because there is no unity whatever in London. They had a population that lived in what was called the administrative county area administered by the County Council. They had outside districts beyond the county area which were as much London as Charing Cross was, and yet they could get no unity inside the area, and it did not matter how they might fight inside the area. They could have the hon. Member for Dartford with them when they were talking about unification, or the City

Corporation, but directly it touched a district on the fringe of London that he happened to represent, local pressure was brought to bear upon him, he lost all the great patriotism of a great city, he was prepared to denounce his friends, and say it was due to their mismanagement that they lost control of the water supply of London. This only went to show how extremely difficult a problem this was for the Board of Trade to settle, and, as far as he was concerned, he was very glad the Board of Trade had put down this instruction. He could understand hon. Gentlemen opposite raising an objection to the instruction, but he could not understand hon. Gentlemen on that side opposing the Board of Trade. Why had the Board of Trade put this instruction on the Paper? It had been put down, he believed, because a great desire existed that the undertaking should be purchasable, not by an unknown and uncreated body, but by the central authority which controlled the largest area and the largest supply. This was the only authority that the Board of Trade could put in the Bill. Some day when the purchase took place the question raised by the hon. Member for Dartford would be very natural and proper to be considered, and of course it would come up. Who would propose that Dartford should be left entirely out of representation on the management of the bulk supply scheme? But directly they came to put in any other authority than the County Council they found themselves in the exact position that the hon. Member for Dartford found himself in, that he had to put down an Amendment which was absolutely impracticable, and which no Parliament could possibly accept. Fancy the Board of Trade putting down an instruction in the words proposed by the hon. Member. There had never been known such a thing. The Metropolitan Board of Works was not as bad as that. The hon. Member denounced the Water Board, but it was far better than the proposal that he had on the Paper. Directly they had an alternative to the proposal put forward by the Board of Trade they found themselves in a great difficulty, and that was the essence of the whole problem. What went to make up London? What was outside London? An hon. Member said

*Sir Edwin Cornwall.*

that if they could have this bulk supply Bill giving London and its outside areas cheap electricity, under the port authority Bill they would at once get cheap electricity and the outside areas would be able to supply it. Fancy saying the Port of London was an outside area of London.

MR. WHITEHEAD said the hon. Baronet had entirely misrepresented what he said. He had said that under the Port of London Bill 42 miles of the county of Essex was taken and came under the control of the inhabitants, the merchants, and the County Council of London, and Essex had no representation at all. He was defending the right of Essex to be on the authority.

SIR EDWIN CORNWALL said he understood the hon. Member to argue that this 42 miles of the Port area, if left outside and if the instruction was not passed, would be able to give a great impetus to their trade, and that they would benefit very largely in consequence. Whatever view they took this was an excellent illustration of the position of London. The Government had promoted a Port of London Bill, and one of the first things required by that Port would be a supply of cheap electricity for the working of electric cranes. The Port of London had not got that, and did anyone say it was in an outside area? He was bound to say it was not an outside area. Whether they were dealing with tramways, electricity, or water, they could not take an artificial line, say up the Edgware Road, and say that beyond that was not part of London, any more than they could take Bow or Stratford and say that that was the end of London. He said that representation was essential in these outside districts, but there was nothing inconsistent in that with what the Board of Trade had put upon the Paper. The Board was bound to put in somebody which existed to-day, and when the time came it would no doubt be the case that these outside areas would get representation. They had tried on the London County Council to settle this question, and he thought it would have been far better if the London County Council had been left to settle it, but the municipal solution of this great problem having been



considered impossible, he maintained that it was not just to deny to London the right to bring itself into line with the other great cities of the world. He should have no alternative but to support the instruction put down by the President of the Board of Trade.

MR. BONAR LAW (Camberwell, Dulwich) said this had been a very pretty family quarrel, and he felt that it was almost a pity for him to interfere. He must say that he had listened with the greatest possible amazement to the speeches of the two hon. Members who used to represent the county council. He remembered perfectly well what they were told when they were on those benches—and it was quite possible that change of benches had some undesirable effect on those who sit on the front benches—he remembered hearing something like the eloquent words which the hon. Member used about the success of this electricity proposal elsewhere, and he pointed out then precisely what was pointed out now, that unless the measure of 1905 were adopted they would not succeed in getting cheap electricity for London. But he did not convince, for example, the hon. Member who was most violently opposed to that scheme. All he said about that was, not that the right hon. Gentleman had not a right to change his views, but that the arguments which were obvious to him to-night, were obvious to them three years ago, and were quite as effective then as they were now. He was bound to say that he entirely sympathised with the main principles of the President of the Board of Trade in what he had done with regard to this Bill, although he thought they would not commend themselves to hon. Gentlemen below the gangway. He thought that the right hon. Gentleman was taking a proper and statesmanlike view of the interests of London with regard to this matter, but he was bound to say, also, that he could not support the Instruction in the form in which the right hon. Gentleman had put it on the Paper. The hon. Member who spoke last said that it was absolutely necessary to have some authority mentioned in the Bill, but he did not give them any reason for that statement, and there was a reason against it to the

extent that the Committee presided over by Lord Cromer definitely decided that there should be power of purchase, but that the body to make the purchase should be left to be determined afterwards by Parliament. The hon. Gentleman and the hon. Member who spoke on behalf of the Board of Trade did not quite correctly represent the attitude of the County Council on this matter, and in the proposal which he was going to make, and which he hoped the President of the Board of Trade would accept, he was going to make exactly the proposal which was made in regard to the County Council by Lord Cromer's Committee. If the right hon. Gentleman would add to his instruction words to this effect "or some other public body to be appointed by Parliament," he would vote for the instruction, but otherwise he must vote against it. He could not support the Amendment, for many reasons which had been pointed out. It was a perfectly impracticable proposal to set up an authority now, which was to be the purchasing authority so many years hence, if this proposal came into operation. And it was not only impracticable for that reason, but because the democratic principle on which the hon. Gentleman relied must apply to local authorities who did not own their electrical supplies as well as to the local authorities who did. He thought, therefore, he might expect that the hon. Gentleman who moved the Amendment would himself support his suggestion, which was that the purchasing power should remain, but that it should be vested not definitely in the County Council, but in the County Council or some other body which Parliament might think was more fitted for the purpose. He thought he could convince the President of the Board of Trade that the proposal he made was the only possible proposal under the circumstances. He could understand that the right hon. Gentleman thought it necessary to put the Motion down in this form, but he was in a different position from a certain number of his own supporters, who were not very fond of this proposal, and if it was going to make it easier for him to move this instruction, he was quite right to do so, provided he did not do any injustice to any other body. The right hon.



Gentleman had to work with the tools he had got, and to make the best use he could of them. Let the right hon. Gentleman consider what the proposal meant. The district covered by this Bill was, he thought, three or four times the size of the area covered by the London County Council at this moment. The population within the London County Council area covered by the Bill was far more important at the moment than the population outside; but a constant change in this respect was going on, and it by no means followed that the business done by this new company in the County Council area would be the most important even under existing conditions of population. The company could only enter into competition with existing bodies supplying electricity on terms so onerous that for practical purposes such competition was out of the question. So that, obviously, their business would not grow in districts now well supplied, but would more and more extend in the outer areas where there was not such a good supply. It would be unjust from every point of view if the body that created the largest part of the business was then left without any control. But there was a monetary consideration. If the company were successful, that would represent a valuable asset at the end of the purchasing period. Did the right hon. Gentleman propose that a valuable sum of money due to areas outside the London County Council area should be transferred from those to the London County Council itself? There was, as another consideration, a possibility that the municipal tendencies of Members below the gangway opposite might run their course, and that it would come to be regarded that the best way of running these businesses was to lease them to private enterprise. [Loud MINISTERIAL cries of "Oh!" and "No."] He threw that out as a suggestion, but, of course, hon. Members opposite might know a great deal more about the future than he did, and they might be right and he might be wrong, but it could not be denied that it was a possible suggestion. They must remember that the monetary consideration was just the same whether the undertaking was worked by the London County Council or by another municipal body or under

lease, and supposing that happened and the undertaking were leased again to a company, did the right hon. Gentleman actually suppose that the monetary payment for that lease was to be given, not to the districts where the money was made, but to the London County Council, which had nothing to do with the way in which it was made? Obviously this was a consideration which must be seriously entertained. He dared say the hon. Gentleman would tell them that if the bulk of the business was done outside the London County Council area, Parliament could alter the conditions imposed by the Bill. That was perfectly true; it could alter anything, but he asked the House to remember that it would be a long time before it was known definitely whether this was going to be a profitable enterprise or not. If the name of the County Council alone appeared in the Bill, during all the years between now and the time of purchase the County Council would regard it as an asset to which they were entitled, a vested interest would have grown up which was to be their property, and Parliament could not alter the conditions without much greater difficulty and appearance of hardship than would be the case if the proposal he was making were adopted, and the London County Council were put in, as a possible authority, and some other authority were also recognised as possible by Parliament. If the right hon. Gentleman did not accept his suggestion, it was his responsibility, and he should vote against the instruction because it seemed so unjust. His proposal was that it should be left to some public body to be appointed by Parliament. He could not himself conceive any reason whatever why the right hon. Gentleman should object to it except, as he had suggested, that it might be more agreeable to his friends below the gangway, who, he supposed, were not in favour of the proposal as a whole, to have the London County Council alone named as the purchasing authority. If an outsider could judge of these matters, he did not think it would remove the opposition in the least of the hon. Members below the gangway who objected to private enterprise on any terms. On the contrary, they would recognise that, if

the Bill were to go through, and if there were to be a purchasing authority, it was only fair and just that that authority should be decided upon when Parliament knew what the conditions were to be.

\*MR. DICKINSON (St. Pancras, N.) said he was very much obliged to the hon. Member for Dulwich for the speech he had made. He must have cleared the air very considerably. He had said he would only vote for the instruction if there were included in it a definite injunction to the Committee that the purchasing authority should be some body to be set up at some distant future date.

MR. BONAR LAW: Or the London County Council.

\*MR. DICKINSON said he might point out to the hon. Gentleman that that was precisely what the Bill did. It was because the Bill did that that they attached so very great importance to the instruction the President of the Board of Trade was moving. The Bill itself said that the undertaking of the company should be liable to be purchased by any county council or joint-committee of county councils, body, or trustees, or other public body or body who might be authorised by Parliament to purchase the undertaking. It was precisely because that was so very clear and definite that the London Members, or at any rate a large proportion of London Members, were anxious that the House should once and for all settle this question. The hon. Gentleman the Member for Dulwich wanted the question postponed, and said that possibly the municipal idea would then have run out its course. He and those acting with him were, however, firmly convinced, and had been throughout, that the only right solution of the question of electricity supply in London was that it should be in the possession of the municipal authorities, and it was because they were so firmly convinced of the necessity that this undertaking should be in the hand of the municipal authorities that they preferred to make it perfectly certain that this would ultimately be the case. If the question were left

unsettled for another four or five years things might happen both inside and outside the House that might make it impossible for them to secure to posterity the possession of this undertaking. It was, he could not help thinking, unfortunate that the debate should take place on the Second Reading of a Bill for which no one in the House, neither a Government Department nor a private Member, was responsible. The Bill emanated from private individuals, and, of course, could not expect to command the support of the House in its entirety. It would have been very much better that the Bill should have come before them after having undergone the investigation of a Committee; but that, of course, was impossible, and it was because they were anxious that a Committee of the House of Commons, filled with responsibility to do what it could for the best for London, should consider the proposals in the Bill and see whether they could not be so shaped that they would be ultimately for the best advantage of London, that they were so anxious that it should get to a Committee with this one definite instruction, that the purchasing authority should be the London County Council.

MR. BONAR LAW: May I interrupt the hon. Member? I understood him to say that the London County Council was anxious that it alone should be put in as the purchasing authority. If so, that is not so. They put the proposal I have urged before the House to-night.

\*MR. DICKINSON said he did not say that the London County Council had done that. He said the London Liberal Members were anxious for it. Now that the hon. Gentleman had challenged him as to what the County Council did say, the House should know what the views of the County Council were. He had the Report issued by Mr. Felix Cassell, the Chairman of the Parliamentary Committee, of 22nd July, 1908, in which it was said that the President of the Board of Trade would on the Second Reading move an instruction to the Committee dealing with the Bill, to the effect that the Council should be

named as the purchasing authority. The Report concluded—

“ We do not think that the Council should oppose the Second Reading of the Bill, or that it should offer any resistance to the instructions referred to above.”

He therefore thought he was justified in saying that the County Council, even as at present constituted, would favour the instruction before the House.

MR. BONAR LAW said he was very sorry to interrupt, but this really was a question of fact open to everybody who read the evidence. What the hon. Member had read was a statement by a member of the Council, by the chairman of a committee; but the evidence on which he (the hon. Member speaking) made his statement was the definite proposal urged in Lord Cromer's Committee by the County Council.

\*MR. DICKINSON said he thought that was perfectly accurate. The present County Council appeared before Lord Cromer's Committee, and at that time they agreed to the Report of the Bill, but it was after that that negotiations took place with the President of the Board of Trade. The Parliamentary Committee then brought up this formal Report, and it came before the Council and was adopted. He wished for one moment to deal with the powers which the County Council or public body or central authority proposed by the hon. Member for Dartford would purchase. He must, with great respect, say that the provisions of the Bill, even though drafted by a private company and not by any Member, had been greatly misrepresented as regarded the actual powers the company were to have and to sell. It had been represented as a huge monopoly. If they had felt it was a monopoly in any shape or form, or that it could be made into a monopoly, they would have been its most strenuous opponents. It was because they had looked into the question carefully and had come to the contrary conclusion that they had advocated it.

MR. LOUGH (Islington, W.) on a point of order asked whether it was in order to discuss the instruction broadly,

*Mr. Dickinson.*

or whether they must keep to the limited point of the Amendment. He did not want in the least to stop his hon. friend, but he would like to hear whether they might also follow and discuss the instruction broadly.

\*MR. DEPUTY-SPEAKER (MR. CALDWELL): An Amendment having been moved with regard to the purchasing authority, we must keep to that point till it is disposed of. Then it will be open for some further Amendments to be moved when the main question is again set up.

\*MR. DICKINSON said he quite understood, thoroughly agreed with, and bowed to the ruling; but he did not think it would interfere with the course of his argument. He was going to point out what was the substance of the matter which would have to be purchased by the authority proposed by the hon. Member for Dartford. There was no monopoly to be purchased. It was perfectly true there were clauses in the Bill, drafted as it was by the company, which might be turned into a monopoly and become as dangerous to the public welfare as the water companies or the tram companies as they existed; but those clauses had never yet been before a Committee of the House, and it had already been announced by the President of the Board of Trade in the debate last July that those clauses would have to be considered carefully, not only by a Committee but also by the House.

\*MR. DEPUTY-SPEAKER: The hon. Member is going rather into the merits of the Bill than keeping to the limited purpose of the Amendment.

\*MR. DICKINSON said that at any rate the matter was perfectly open to the consideration of the House on a future occasion. Even under the Bill as it stood, there were no powers which could be really called monopoly powers. The power of purchasing other undertakings might be turned into a monopoly power.

\*MR. DEPUTY-SPEAKER: That is not the limited point of the Amendment.

\*MR. DICKINSON thought he might be allowed to say that the powers of the company would be the power of producing electricity and of selling it to those distributors who required it. There would be no compulsion to take it, or on anyone to receive it. That seemed to him a very important consideration from all points of view, and especially from the point of view of his hon. friend the Member for Dartford. Representing the interests of the Dartford Council, the hon. Member objected to something which he thought would place the London County Council in a position of supremacy over the Dartford Council. It would do no such thing. All it would do would be to enable the London County Council, in the place of the company, to offer cheap electricity to those distributors who desired to have it. Whatever was the purchasing authority, the promoting company would, with few exceptions, have no power of dealing direct with the consumers, and therefore, the interest of the consumer and the interest of the public would be entirely in the hands of the distributors and the councils in London. That being so, of course, the question arose whether they could appoint another public authority as producer in the place of the London County Council, but that proposal had been before several Committees, all of whom had come to the conclusion that the County Council must be the authority. Those who advocated this proposal did not desire to injure the places that surrounded London, but were anxious to assist them in every way, and if any proposal could be made which would really be better than this proposal for establishing an authority for the provision of this current electricity which would be sold to the various distributors, they would be only too willing to consider it. He could not help thinking that that was a matter for Committee and not for discussion on the Second Reading. He hoped the House would decide that this question of how the supply of bulk electricity was to be furnished in the future should be settled now once for all, and that they would be able to go ahead with the full knowledge of the respective

positions of the present distributors, the present companies, the new company, the London County Council, and the other authorities. It was of the utmost importance, in view of the grave difficulty that existed in regard to the purchase of the existing companies, that this question should be settled from the municipal point of view, and he trusted that the House would allow the instruction to pass.

\*MR. WALTER GUINNESS (Bury St. Edmunds) said the hon. Member for St. Pancras had suggested at the beginning of his speech that the Amendment proposed by the hon. Member for Dulwich was hardly necessary, because the point was met by the Bill which laid it down that the undertaking should be liable to purchase by any county council, or joint-committee of county councils, body of trustees or other public authority or body who might be authorised by Parliament to purchase the undertaking. He did not think the point of the hon. Member for Dulwich was met by this Clause 67, because under it, no authority was definitely named, and the point was that unless some definite instruction was laid down in the Bill further legislation would be necessary before the undertaking could be purchased, and the objection they felt to leaving the matter in this vague state was that Parliament might possibly neglect again to legislate on the subject, and that the purchase powers which were laid down as being in the power of various different bodies might in that way be allowed to lapse unless it was put down once for all that the County Council, or some other body, should be constituted as the purchasing authority. In any case Clause 67 would be overridden by the Instruction of the President of the Board of Trade. If they would also accept the suggestion of the hon. Member for Dulwich they would guard against the danger of the purchase powers being allowed to lapse and at the same time would not hamper the action of Parliament if in the future they were to decide that somebody still to be created were to take the place of the County Council as purchasing authority. The Amendment of the hon. Member for Dartford was hardly a practicable



one. It was not reasonable to expect the House to legislate for the representation of borough councils fifty years hence. It was quite reasonable to say that the County Council or some other body named by Parliament should exercise these powers, but it was impossible at present to say how the borough councils were to be represented. The difficulty was that if they made the borough councils the purchasing authority they would only have a part of the area represented, because he thought it was only about half the borough councils who had electrical undertakings in their hands. Another difficulty was that under the present law it would be almost impossible for the borough councils to buy out even the distributing agencies, because there was so much overlapping that the cost of buying out would be absolutely prohibitive, owing to the fact that under the Electric Lighting Acts allowance had to be made for severance, and as a result of that it was quite certain that they would have to have some central body. He personally felt it was very difficult to imagine a central body administering electric power and electric lighting schemes unless it was directly elected. They had been told the Water Board was a parallel case. He did not think it was, because after all the Water Board administered water, which was a universal want, and they would probably never reach the day in London when electricity would be used by everybody. Anyhow it was a long way off. But everybody must use water. He imagined even if hon. Members drank alcohol they occasionally washed. He expected the electors of London would not allow an indirectly elected body to charge the rates with the enormous capital expenditure which would be necessary to buy out the existing electric companies, and especially this bulk supply, and for that reason they must have a directly elected central body. His own feeling was that it ought to be the London County Council. Hon. Members had made rather too much of the point that it was not fair for the London County Council to go outside its own area. After all there was a precedent for it. Although the borough councils in London did not supply consumers beyond their borough boundaries it was quite a common thing in the provinces

for boroughs to get power to supply gas, water, and even electricity beyond their boundaries, by agreement. This Bill did not propose in any way to compel outside authorities to take the electricity of this bulk supply company, and he therefore thought it would be quite safe to constitute the London County Council as the purchasing authority. At the same time he hoped the Amendment suggested by his hon. friend the Member for Dulwich would be accepted. If, however, it was not, he should certainly vote for the instruction of the President of the Board of Trade, because he thought it was most necessary that there should be some central body in London which should take an interest in the organisation of electric supplies, and which should take a comprehensive view of the whole matter.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee) thought the House would feel that, whatever might be thought or said about the London and District Bill on its merits and as a main proposition, this debate had been conclusive with regard to the special point before the House. From almost every quarter of the House they had had speeches on the subject of who should be the ultimate purchasing authority and those who had followed the debate would, he thought, agree, if they were forced to choose between the proposition he had put forward and the proposition advanced by his hon. friend the Member for Dartford, that there was, even among all the tangles of London electricity, one problem which was settled. The hon. Member for Dulwich had suggested an addition to the instruction he had put on the Paper, namely, that they should say the County Council "or some other authority to be fixed by Parliament." He did not see any grave objection to those words in themselves, but he would recommend the House not to adopt them. The Government were seeking by this instruction to indicate a general policy for the future. They were seeking to affirm a principle which would certainly govern these Bills so far as they might progress, and which might govern other Bills if these Bills should not reach maturity. What was that principle? It was a large and simple principle. It

*Mr. Walter Guinness.*



was that ultimately, and, for his part, he hoped as soon as possible, there should be one combined, extensive, uniform system of electrical supply for London—for the Metropolitan area—and that the supply should be under the control of the government of London. That was the large, general proposition, and, however they might differ—and the subject was so complicated and vexed, and there were so many cross-currents in it that any man might be pardoned for differing from another—he had the greatest respect for those who took a different view from that which he had put forward—however they might differ upon the main question, surely all those who, from every point of view, would wish to champion the general and large progressive interest of London government could unite in pointing to the London County Council as the future main authority over the electrical supply. He was glad to hear the hon. Gentleman opposite who last spoke and who represented the opinion of the ruling force on the London County Council at the present time, speak no less strongly in support of the prerogative of that great body to be the authority entrusted with this duty than his hon. friends behind him who had spoken. It was not only a question of providing for an authority which was to administer the electrical supply of London when the purchase clauses matured. They had to think of the interval, and they were proposing to assign to a public body purchase rights over a private undertaking, and those rights did not operate until a good number of years had passed. What a safeguard it was to the public interest to vest those rights clearly and unmistakably in a powerful and existing public body, and not to leave it to an embryonic creation which had not yet come into being, something vague, which a Parliament of the future might possibly or might not select or create. How much better it was to have some powerful, trusty custodian of such purchase rights as were secured by the Bill and would ultimately operate. And he was bound to say that when they came to the special question of the merits of the Amendment he felt even greater confidence. As had been pointed out his hon. friend had shown in his speech the vice of his Amendment; he had supported representation on high

democratic grounds, and yet by his Amendment he would exclude nearly half the districts concerned from any share in his proposed representation.

MR. ROWLANDS: Not necessarily.

MR. CHURCHILL said it was so because the Amendment was to substitute for the London County Council “a central authority composed of representatives of the municipal authorities owning their electrical supplies within the area covered by the Bill.” There were seventy-seven local authorities within the area, and of these, thirty-five did not own electrical undertakings and so would not be represented at all. The hon. Member had allowed these to slip from his memory, though among them were the City of London, Westminster and Paddington, a great part of central and of southern London. His hon. friend asked the House to create a purchasing body in preference to the London County Council, which would be less representative, less responsible, less competent than the County Council with its experience and ever-growing skill and capacity. This new body would have no rating power, a special statute would be required to effect the purchase, and even if all the difficulties were surmounted, a body would be created that would be but a bad imitation of that Water Board which had been severely criticised on both sides of the House. The question had now been discussed at some length, and he suggested that the House should come to a decision upon the Amendment so that other aspects of the question might be raised by his right hon. friend the Member for Islington and others.

MR. JOHN WARD (Stoke-on-Trent) said he intended to support the Amendment of his hon. friend the Member for Dartford. If the outside areas were compelled to come into this scheme, then they ought to be represented. Those who represented the London County Council seemed to have forgotten the main bone of contention. He happened to be on the Committee which considered the last Bill dealing with the subject promoted by the London County Council. It was proposed under that Bill, as was proposed on this occasion,

to take in twenty odd authorities which were not within the jurisdiction of the London County Council at all. Those twenty public authorities could not by any manner of means have any representation on the London County Council, and yet they would be obliged under this Bill at the end of the stated period to sell to the County Council the undertakings which they had secured at great expense. That was a proposal which was now being defended by hon. Members who professed to be Progressives and democrats. The hon. Baronet the Member for Devonport twitted the hon. Member for Dartford with having forgotten his democratic principles. Was it democratic to compel twenty public bodies, well known for their proper and decent management of their affairs, to be dispossessed of the undertakings they had built up with so much labour, energy, and expense, and this without having any representation whatever upon the body taking over their undertakings? Most of the opposition to the London County Council's attempting to deal with this subject of electric supply for London had not come from the authorities within its jurisdiction, but from those twenty or thirty outside local authorities which the London County Council wanted to sweep into its net without giving them any voice whatever in the administration. The hon. Member for Dartford, he understood, was willing to withdraw his Motion, but he objected to that course because he wished to register his protest in the division lobby. The hon. Member for Bury St. Edmunds said that the attempt to include within the jurisdiction of the London County Council those outside areas was not a new proposition, and that the same thing was often done in the case of other large towns, and he mentioned Newcastle as an instance.

MR. WALTER GUINNESS: I do not think I mentioned the case of Newcastle at all.

MR. JOHN WARD said other hon. Members had mentioned Newcastle. At any rate the hon. Member for Bury St. Edmunds stated that in other towns the taking in of outside areas was often

*Mr. John Ward.*

done in the case of gas, water, and electric supply. He wished to point out to the House that the areas to be taken in under this Bill were not the suburbs which sprang up outside provincial towns, but included large towns, and one of the districts to be brought under the jurisdiction of the London County Council was Croydon, which had a population of over 100,000 people, and possessed its own tramway system. Croydon had already proved that it could produce electricity in bulk as cheaply as any body under the control of the London County Council. Such great municipalities as East Ham and West Ham, which were not now in the London County Council area, were to be included under this scheme. Such cases as Bromley in Kent, Kingston-on-Thames, Richmond, and other places, embracing hundreds of thousands of people were to be swept into the net of the London County Council by this proposal. It was surprising to him to notice the peculiar harmony which had so suddenly been proclaimed between the Progressive and Moderate members of the London County Council. This was an attempt by a private corporation to secure powers to compete with outside municipal authorities who had spent millions upon their undertakings, which they were being compelled by agreement to sell upon a shadowy kind of representation. It remained to be proved whether or not under this scheme those outside areas would get a cheaper supply. Was it a sensible proposal to solve this problem by including twenty or thirty outside local authorities who had petitioned against this Bill, and would insist upon debating every line of it? He asked them to consider whether in putting forward these proposals and especially the proposal that the undertaking should be controlled by a private syndicate, they were not running the risk which they wanted to avoid. If the County Council had attempted to deal properly with the County Council area alone, and if they had left the outside districts for the present at least to shift for themselves, there was a sufficient population under the jurisdiction of the Council to enable them to show that they could give as cheap a supply of electricity as it was possible to give. [Cries of "No."] He maintained

that was so. He had listened to the evidence of experts, who said that the inclusion of the outside population did not make the slightest difference in the cost of bulk supply. That being so, why did the members of the County Council, whether Progressives or Moderates, insist upon including the outside authorities within the scope of their purchase clause without giving any representation? They were told that it was democratic to refuse representation. It was a curious illustration of democracy. He did not believe that Parliament would allow this body to take possession of millions of capital, and of growing areas that had been developed by the energy, foresight, and municipal enterprise of the people of those districts, without giving them representation. It was a moral certainty that the proposal would not succeed. Those who paid the rates would require to know something about the price. When he listened to the speeches of the Progressive members, and even the Moderate members, of the London County

Council, he could not help thinking that they were not nearly so anxious to supply cheap electricity to London as to extend their boundaries over the districts to which they did not propose to give any representation at all.

MR. ROWLANDS said it had been admitted in the debate by speaker after speaker that the local areas were entitled to some representation, and, therefore, the object he had in moving the Amendment had been served. He regretted that the President of the Board of Trade had not been able to accept the Amendment suggested by the hon. Member for Dulwich. He asked leave to withdraw the Amendment.

Leave to withdraw being refused,

Question put.

The House divided :—Ayes, 174 ; Noes, 86. (Division List No. 267.)

### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agar-Robartes, Hon. T. C. R.  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Asquith, Rt. Hon. Herbert Henry  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Baring, Capt. Hon. G. (Winchester)  
Barker, John  
Barlow, Percy (Bedford)  
Barnard, E. B.  
Beale, W. P.  
Beck, A. Cecil  
Bell, Richard  
Belhairs, Carlyon  
Bean, Sir J. Williams (Devonp'rt)  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bertram, Julius  
Black, Arthur W.  
Bramson, T. A.  
Branch, James  
Brigg, John  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Cameron, Robert

Carr-Gomm, H. W.  
Causton, Rt. Hon. Richard Knight  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Corbett, C. H. (Sussex, E. Grinst'd)  
Cornwall, Sir Edwin A.  
Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Cox, Harold  
Crosfield, A. H.  
Crossley, William J.  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dobson, Thomas W.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Essex, R. W.  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Findlay, Alexander

Gill, James (Harrow)  
Gill, A. H.  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Greenwood, G. (Peterborough)  
Grey, Rt. Hon. Sir Edward  
Guinness, Hon. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Gurdon, Rt. Hon. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Harcourt, Robert V. (Montrose)  
Harmsworth, Cecil B. (Worc'r)  
Harmsworth, R. L. (Caithn'ss-sh)  
Hart-Davies, T.  
Haworth, Arthur A.  
Higham, John Sharp  
Hobhouse, Charles E. H.  
Holt, Richard Durning  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Johnson, W. (Nuneaton)  
Kearley, Sir Hudson E.  
Kekewich, Sir George  
Lamb, Edmund G. (Leominster)  
Layland-Barratt, Sir Francis  
Lea, Hugh Cecil (St. Pancras, E.)  
Lehmann, R. C.  
Lever, A. Levy (Essex, Harwich)  
Levy, Sir Maurice

Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morrell, Philip  
 Murray, Capt. Hn. A. C. (Kincard)  
 Napier, T. B.  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans

Nuttall, Harry  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Price, C. E. (Edinb'gh, Central)  
 Raphael, Herbert H.  
 Rees, J. D.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, Sir John H. (Denbighs)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Sears, J. E.  
 Seaverns, J. H.  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Smith, F. E. (Liverpool, Walton)  
 Soames, Arthur Wellesley  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)

Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Waring, Walter  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Wilson, John (Durham, Mid)  
 Wilson, P. W. (St. Pancras, S.)  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Arkwright, John Stanhope  
 Ashley, W. W.  
 Balcarres, Lord  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Bethell, Sir J. H. (Essex, Romf'd)  
 Bethell, T. R. (Essex, Maldon)  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Brace, William  
 Brotherton, Edward Allen  
 Bull, Sir William James  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cave, George  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Cooper, G. J.  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Crooks, William  
 Curran, Peter Francis  
 Dilke, Rt. Hon. Sir Charles  
 Duncan, Robert (Lanark, Govan)  
 Edwards, Clement (Denbigh)  
 Fardell, Sir T. George

Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Gibbs, G. A. (Bristol, West)  
 Gordon, J.  
 Gretton, John  
 Guest, Hon. Ivor Churchill  
 Harrison-Broadley, H. B.  
 Harwood, George  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Henderson, Arthur (Durham)  
 Hill, Sir Clement  
 Hills, J. W.  
 Hodge, John  
 Hudson, Walter  
 Jowett, F. W.  
 Joynson-Hicks, William  
 Kennaway, Rt. Hn. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Lamb, Ernest H. (Rochester)  
 MacCaw, William J. MacGeagh  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Middlemore, John Throgmorton  
 Moore, William  
 Morrison-Bell, Captain  
 Morton, Alpheus Cleophas  
 Myer, Horatio

Nannetti, Joseph P.  
 Nicholls, George  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 O'Grady, J.  
 Parker, Sir Gilbert (Gravesend)  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Richards, T. F. (Wolverh'mpt'n)  
 Roberts, G. H. (Norwich)  
 Roberts, S. (Sheffield, Eccleall)  
 Ronaldshay, Earl of  
 Rutherford, W. W. (Liverpool)  
 Scott, A. H. (Ashton-under-Lyne)  
 Scott, Sir S. (Marylebone, W.)  
 Smith, Hon. W. F. D. (Strand)  
 Snowden, P.  
 Stanier, Beville  
 Staveley-Hill, Henry (Staffsh.)  
 Steadman, W. C.  
 Stone, Sir Benjamin  
 Summerbell, T.  
 Ward, John (Stoke-upon-Trent)  
 Willoughby de Eresby, Lord  
 Wilson, W. T. (Westboughton)  
 Wortley, Rt. Hn. C. B. Stuart

TELLERS FOR THE NOES—Mr.  
 Rowlands and Mr. White-  
 head.

Main Question again proposed.

MR. LOUGH (Islington, W.) said that they found themselves that evening in a

most unfortunate position. There was no disposition on his part, or on the part of some of his friends for whom he spoke,



to give the Government any trouble whatever. This was a private Bill, and he regretted that the Government should have interfered with it at all. He did not like to be dragged into any quarrel with the hon. Member for Dartford or the President of the Board of Trade. The people he wanted to get at were the promoters of this private Bill which he and his friends thought would inflict great injury on London. It was these gentlemen who should bring forward instructions and Amendments, and then they would be able to fight them in the open, and not the Government. He would point out that the instruction was most unsatisfactory when they came to examine its provisions. Everyone who had spoken on that side of the House was agreed that the purchase clause in the Bill was most unsatisfactory. The Secretary to the Board of Education stated that—

“He would not for a moment support the Bill were it not for the important Instruction to be proposed by the President of the Board of Trade, nor did he approve in the least of the proposed terms of purchase which had come from the House of Lords.”

Now, nothing had been done to alter the terms of purchase. To lay it down that the London County Council should be the purchasing authority did not improve this wretched clause. He thought that the object the President of the Board of Trade had in view was too apparent. The right hon. Gentleman wished to pay some deference to the principle of municipal control. They all approved of that, but the House would remark the round-about way by which the right hon. Gentleman endeavoured to establish that principle. At the present moment there were some forty local authorities with electric installations. The plan of the Government was to allow this

private company under Clause 77 of the Bill to acquire these local authorities' undertakings without coming to Parliament, then to give the company a free run for fifty-three years, and afterwards to protect London by allowing the County Council to purchase the undertaking. The Instruction simply said that the purchasing authority should be the London County Council. What did the London County Council get? The right to purchase; but all rights to purchase depended on the terms on which the purchase might be effected, and the right hon. Gentleman did not give them the slightest comfort with regard to terms. What did his eloquent supporters say in regard to this matter? The junior Member for Devonport was most eloquent, but not on the subject of terms. That hon. Member always thought that he was a London Member, but as a matter of fact he represented a very distant part of the Kingdom. Then his hon. friend the Secretary to the Board of Education also supported the instruction. In fact, all the worst parts of this proposal seemed to come from new Members from Scotland, who hardly had the time to learn the accent before they came to teach old-fashioned, quiet going, London Members how to do their duty to London. The junior Member for Devonport said that the President of the Board of Trade would attend to the purchase clause, and that he would put in what the Liberal Government did in 1870, in regard to the tramways. That arrangement was that the companies should have a free run for twenty-one years, and that then the purchase would be made without the payment for any goodwill. They had heard a good deal about a split among London Members on this question. There was no split; London was solid,



and it was on the promise that they would get tramway terms, made on behalf of the Government by the Secretary to the Board of Education, that the Second Reading of the Bill was carried. Now they came down after three months of labour, and here was this miserable mouse of instruction which the right hon. Gentleman proposed. The right hon. Gentleman might say that the instruction would be sent to the Committee upstairs, and that if the Committee did not do what was right with regard to terms, there would be another opportunity of considering the question. That was not exactly the position in which they should be placed. There was a clause before the House. They knew what the Committee thought of it. But it was proposed to give free rein for fifty-three years to these private monopolies, the longest term of payment ever proposed to be given in any Bill. That was in the Bill, and when they came to the instruction dealing with it, it should not have been left to the Secretary to the Board of Education to give a pious opinion on the matter. There should have been in the instruction some recognition of the fact that the terms in the Bill were highly unsatisfactory; and that if they were not improved in Committee, the House would have to deal with the matter when the Bill came back for a Third Reading. He hoped that the Prime Minister, whom he was glad to see was present, would give them another opportunity of considering this question at 8.15 p.m., and he promised the right hon. Gentleman that he would put down a fresh and definite instruction, and that if he obtained an opportunity of doing so, there would be such a volume of opinion behind it, as to what the terms of purchase ought

*Mr. Lough.*

to be, that he believed the Government would hesitate to decline to accept it. He proposed tramway terms. What could be the objection to that? It might be said that twenty-one years was too short a period; but let seven or fourteen years more be added if need be. The great principle to establish was that, as under tramways purchase, there was no good-will. He wanted no good-will, and if they knocked out the good-will, the Government would effect a great deal in connection with the Bill. Twenty or thirty years would be ridiculous. Some of his hon. friends suggested twenty-one years good-will, but he did not want to have any Bill with good-will in it. He was in favour of the principle which he learned in better days from the Secretary to the Board of Education, the Member for North St. Pancras, and the junior Member for Devonport. Why had these Gentlemen all changed their minds? It was because they had sustained a defeat at the polls in London. They had not got the Parliamentary temperament yet. They must learn to keep their tempers and stick to their principles, and that would enable them to carry their principles sometimes to a victorious conclusion. He had not changed his belief in regard to this Bill. The right hon. Gentleman had spoken of wicked people who were behind this opposition; he himself was behind it, and he could quote his speech. All he could say was that his instruction at the present moment did not in the least meet their opposition, and as to the terms of purchase, it contained nothing whatever. It did not improve the purchase clause in the Bill one iota, and did not fulfil the terms laid down by the Secretary to the Board of Education. He had been told that he could not take

the opinion of the House upon this question, unless the Prime Minister could give them a little more time. If he did, he would promise him that they would have this matter dealt with as a positive instruction, and he would take a vote of the House upon it.

MR. CHURCHILL said he generally agreed with a great deal that had fallen from his right hon. friend. He thought the right hon. Gentleman had shown very clearly that, whatever opinion this House might have formed upon the merits of the Bill, it was not the question before the House. That question was a much more narrow and restricted one, and his right hon. friend, in the course of his eloquent remarks on the general practice, did not use any argument at all against the instruction which he had put upon the Paper, and upon which the House would be asked to vote. The right hon. Gentleman directed his arguments to the general question of the London and District Bill, a very wide and vastly complicated question—how vast and complicated the House might gather from the size of the book containing the evidence taken before the Committee in another place. He had never desired to commit the House or the Committee, His Majesty's Government or the Board of Trade, to the support of this Bill as it stood upon its merits, and he agreed that there was a very solid foundation for a good many of the arguments which had been used that evening. But there was one thing he had desired on behalf of the Government, and that was to press and urge upon the House the proper, scientific, and regular consideration of this important and complicated question by the only method by which justice could be done to such a

proposal—namely, by careful and impartial examination at the hands of a Select Committee of the House. No Member of the House, if he had stood in his place, could have taken any other course than that which he had felt it right to take. No one denied that it would be of immense practical benefit to millions of people if cheap and abundant electricity could be supplied on terms more in accordance with those possessed by other great cities. Year after year measures of this kind had been put forward to achieve this end. The ingenuity of every one was exhausted in trying to steer this large public object through all the cross-currents which obstructed and delayed it. Everyone knew what the object was; everyone knew as the years went by that the object had not been achieved and that there was no immediate prospect of that object being obtained, except by means of the proposals they had before them; and when a proposal had been examined for thirty or forty sittings of a Committee of some of the ablest men in the country, and embodied in a Bill of eighty or 100 clauses of great complexity; when it was supported by a large proportion of the Liberal Members for London; when it was brought before the House in these circumstances, and in a year when unemployment had reached its maximum, and when private business had reached its minimum, he said that, whatever opinion might be entertained about this or that particular clause, it would be improper and disrespectful and almost indecent procedure on the part of Parliament to fling such a Bill out without paying it the respect of a proper and scientific examination before a Committee. He ventured to say that that advice would

be given by anyone who was called upon to represent an important Government Department, and the fact that hon. Gentlemen opposite chose the Second Reading, in defiance of all the principles he had always heard enunciated by their leaders, to cast their votes against the Government, showed how completely faction, and faction alone had led to their action. He did not hold that His Majesty's Government were committed to the merits of these Bills.

MR. H. C. LEA (St. Pancras, E.): Then why put the Government Whips on?

MR. CHURCHILL said he would try to explain if the House would permit. What he did consider the Government responsible for was the securing of proper consideration at the hands of a Committee. The Committee was now examining the Bill. The Board of Trade would have access to that Committee and would watch the progress of the Bill through the Committee. He very largely agreed with his right hon. friend that it was a very doubtful question whether the local authorities affected by the Bill ought not to have a right of veto on any compulsory powers of entering into their area. That was a question which must be very carefully examined before the Committee, and one of the matters which the Board of Trade would carefully watch. Then there was the question of the purchase terms, a most complicated question. There never had been a purchase clause in a bulk supply Bill before; but he was prepared to say that the purchase terms in their present form were not satisfactory, and it would be the duty of the Board of Trade to represent that before the Committee when they were

*Mr. Churchill.*

called upon to give evidence. He agreed that Clause 77, on which his right hon. friend based the gravamen of his attack, was objectionable. Every single clause of the kind had been objected to by the Board of Trade, and he was prepared to give the House a pledge that, if that clause appeared in the Bill when it came back to the House, he would not only not support it, but would counsel the House to reject the Bill. But these were questions for Committee. He asked the House not to ride off on the question of the merits of the Bill, for what they were really dealing with was the proper procedure to be applied to this complex and difficult question. All these matters would be examined before the Committee, and the House and the Government would remain perfectly free to take their own course when the Bill came back. For his part he intended to reserve his opinion, as His Majesty's Government reserved theirs, on the final action to be taken, until they had the Report of a thoroughly competent Committee as to how far these clauses were reconcilable with the public interest. He feared that what he had been saying was irrelevant, because the question before the House was not the merits of the Bill, but whether the House should take this opportunity of affirming the large general principle that, across all the confusion and all the cross-currents of electrical enterprise in London, there should be one general line of advance marked out—that was, the establishment of one united system of electric supply in the London area under the control of the government of London.

MR. PICKERSGILL (Bethnal Green, S.W.) said he did not like the Government's system of municipalisation, which

was first to set up a monopoly and then to give the community power to buy it up. The right hon. Gentleman said that it was very desirable to give to London a cheap supply of electricity, but that was not the way to do so, nor could that object be obtained by any form of purchasing clause, because they could not accomplish two incompatible objects. It was impossible to have a clause which would provide fair terms of purchase thirty or forty years hence and at the same time provide for the proper development and growth of the undertaking in the interval. If this House enacted a fair purchasing clause, it must inevitably have a prejudicial effect upon the supply in the interval. They could not have it both ways. This was really an attempt to square the circle. At Question time they had the object-lesson of what had happened in the case of the National Telephone Company. There the purchasing clause had had the effect that the undertaking had been starved. The company had not developed its business, but on the contrary was refusing to take

orders and to spend money and was dismissing its employees. That was the inevitable effect of the purchase clause. He was not prepared to discuss the purchase clause of this Bill, though he agreed that the terms of it would be very onerous to the London County Council. The right hon. Gentleman and some colleagues of his in the representation of London had now completely changed their attitude. They were formerly all in favour of municipal control, and voted against a Bill which was in substance the same as this. He supposed they would presently vote in favour of the Bill and say the position was changed, which he denied.

Mr. CHURCHILL rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 153 ; Noes, 144. (Division List No. 268.)

#### AYES.

Acland, Francis Dyke  
 Agr-Robartes, Hon. T. C. R.  
 Allen, A. Acland (Christchurch)  
 Asquith, Rt. Hn. Herbert Henry  
 Baring, Godfrey (Isle of Wight)  
 Baring, Capt. Hn. G (Winchester)  
 Barker, John  
 Barlow, Percy (Bedford)  
 Bernard, E. B.  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Bellairs, Carlyon  
 Benn, Sir J. Williams (Devonp'rt)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bertram, Julius  
 Black, Arthur W.  
 Brampton, T. A.  
 Brigg, John  
 Bright, J. A.

Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buxton, Rt. Hn. Sydney Charles  
 Causton, Rt. Hn. Richard Knight  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Churchill, Rt. Hon. Winston S.  
 Clough, William  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Corbett, C H (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Cox, Harold  
 Crossfield, A. H.  
 Crossley, William J.  
 Davies, Ellis William (Eifion)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N)  
 Dickson-Poynder, Sir John P.

Dobson, Thomas W.  
 Duckworth, James  
 Essex, R. W.  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Gladstone, Rt Hn. Herbert John  
 Gooch, George Peabody (Bath)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Harmsworth, Cecil B. (Worc'r  
 Harmsworth, R.L. (Caithn'ss-sh)  
 Hart-Davies, T.  
 Haworth, Arthur A.  
 Hazel, Dr. A. E.  
 Henderson, J.M. (Aberdeen, W.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.

Holt, Richard Durning  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Johnson, W. (Nuneaton)  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Layland-Barratt, Sir Francis  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Lyell, Charles Henry  
 M'Callum, John M.  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Molteno, Percy Alport

Mond, A.  
 Montagu, Hon. E. S.  
 Morrell, Philip  
 Murray, Capt. Hn A.C. (Kincard.)  
 Napier, T. B.  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Philipps, Owen C. (Pembroke)  
 Price, C. E. (Edinb'gh, Central)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rees, J. D.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, Sir John H. (Denbighs.)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.  
 Sears, J. E.  
 Seaverns, J. H.  
 Seely, Colonel  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Simon, John Allsebrook

Smeaton, Donald Mackenzie  
 Soames, Arthur Wellesley  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Cheah)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Ure, Alexander  
 Verney, F. W.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master  
 of Elibank.

### NOES.

Abraham, William (Rhondda)  
 Acland-Hood, Rt. Hn. Sir Alex. F.  
 Arkwright, John Stanhope  
 Armstrong, W. C. Heaton  
 Ashley, W. W.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Barnes, G. N.  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Bethell, Sir J. H. (Essex, Romf'd)  
 Bignold, Sir Arthur  
 Bowerman, C. W.  
 Bowles, G. Stewart  
 Brace, William  
 Branch, James  
 Brotherton, Edward Allen  
 Bull, Sir William James  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carr-Gomm, H. W.  
 Cave, George  
 Cecil, Lord R. (Marylebone, E.)  
 Channing, Sir Francis Allston  
 Clynes, J. R.  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Cooper, G. J.  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry

Crooks, William  
 Curran, Peter Francis  
 Davies, Timothy (Fulham)  
 Douglas, Rt. Hon. A. Akers-  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, Robert (Lanark, Govan)  
 Edwards, Clement (Denbigh)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gibbs, G. A. (Bristol, West)  
 Gill, A. H.  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, Henry Cubitt (Peckham)  
 Gordon, J.  
 Greenwood, G. (Peterborough)  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harrison-Broadley, H. B.  
 Harwood, George  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Henderson, Arthur (Durham)  
 Hill, Sir Clement  
 Hills, J. W.  
 Hodge, John  
 Hope, James Fitzalan (Sheffield)  
 Hudson, Walter  
 Jowett, F. W.

Joynson-Hicks, William  
 Kennaway, Rt. Hon. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 Lamb, Edmund G. (Leominster)  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lough, Rt. Hon. Thomas  
 Lowe, Sir Francis William  
 MacCaw, William J. MacGeagh  
 Macdonald, J. R. (Leicester)  
 M'Calmont, Colonel James  
 M'Iver, Sir Lewis  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Middlemore, John Throgmorton  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Morton, Alpheus Cleophas  
 Myer, Horatio  
 Nannetti, Joseph P.  
 Nicholls, George  
 Nicholson, Wm. G. (Peterfield)  
 Nield, Herbert  
 O'Grady, J.  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.



Powell, Sir Francis Sharp  
Radford, G. H.  
Randles, Sir John Scurrah  
Rawlinson, John Frederick Peel  
Renwick, George  
Richards, T. F. (Wolverhampton)  
Roberts, G. H. (Norwich)  
Roberts, S. (Sheffield, Ecclesall)  
Robertson, J. M. (Tyneside)  
Ronaldshay, Earl of  
Rowlands, J.  
Rutherford, V. H. (Brentford)  
Rutherford, W. W. (Liverpool)  
Scott, A. H. (Ashton under Lyne)

Scott, Sir S. (Marylebone, W.)  
Shackleton, David James  
Smith, F. E. (Liverpool, Walton)  
Smith, Hon. W. F. D. (Strand)  
Snowden, P.  
Stanier, Beville  
Staveley-Hill, Henry (Staffs.)  
Steadman, W. C.  
Summerbell, T.  
Sutherland, J. E.  
Talbot, Lord E. (Chichester)  
Valentia, Viscount  
Walker, H. De R. (Leicester)  
Walsh, Stephen

Ward, John (Stoke upon Trent)  
Wedgwood, Josiah C.  
White, J. D. (Dumbartonshire)  
Willoughby de Eresby, Lord  
Wilson, W. T. (Westhoughton)  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Younger, George

TELLERS FOR THE NOES—Mr.  
Chiozza Money and Mr.  
Ernest Lamb.

Question put accordingly.

The House divided:—Ayes, 212 ;  
Noes, 79. (Division List, No. 269.)

### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agar-Robartes, Hon. T. C. R.  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Asquith, Rt. Hon. Herbert Henry  
Baring, Godfrey (Isle of Wight)  
Baring, Capt. Hn. G. (Winchester)  
Barker, John  
Barlow, Percy (Bedford)  
Barnard, E. B.  
Beale, W. P.  
Beauchamp, E.  
Beck, A. Cecil  
Bellairs, Carlyon  
Benn, Sir J. Williams (Devonport)  
Benn, W. (Tewkesbury, S. Glos.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bertram, Julius  
Black, Arthur W.  
Bowerman, C. W.  
Brace, William  
Bransdon, T. A.  
Branch, James  
Brigg, John  
Bright, J. A.  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Buxton, Rt. Hon. Sydney Charles  
Carr-Gomm, H. W.  
Causton, Rt. Hon. Richard Knight  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.  
Clough, William  
Clynes, J. B.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (St. Pancras, W.)  
Cooper, G. J.  
Corbett, Ch. (Sussex, E. Grinstead)  
Cornwall, Sir Edwin A.

Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Cox, Harold  
Crooks, William  
Crosfield, A. H.  
Crossley, William J.  
Curran, Peter Francis  
Davies, Ellis William (Eifion)  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dickson-Poynder, Sir John P.  
Dobson, Thomas W.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Edwards, Clement (Denbigh)  
Essex, R. W.  
Evans, Sir Samuel T.  
Everett, R. Lacey.  
Ferens, T. R.  
Findlay, Alexander  
Foster, Rt. Hon. Sir Walter  
Gill, A. H.  
Gladstone, Rt. Hon. Herbert John  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Greenwood, G. (Peterborough)  
Grey, Rt. Hon. Sir Edward  
Guest, Hon. Ivor Churchill  
Guinness, W. E. (Bury St. Edmunds)  
Gulland, John W.  
Gurdon, Rt. Hon. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Harcourt, Robert V. (Montrose)  
Hardie, J. Keir (Merthyr Tydvil)  
Harmsworth, Cecil B. (Worcester)  
Harmsworth, R. L. (Caithness-shire)  
Harris, Frederick Leverton  
Hart-Davies, T.  
Harwood, George  
Haworth, Arthur A.  
Hazel, Dr. A. E.  
Henderson, Arthur (Durham)  
Henderson, J. M. (Aberdeen, W.)  
Higham, John Sharp

Hobhouse, Charles E. H.  
Hodge, John  
Holt, Richard Durning  
Horniman, Emalie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Hudson, Walter  
Johnson, W. (Nuneaton)  
Jowett, F. W.  
Kearley, Sir Hudson E.  
Kekewich, Sir George  
Kerry, Earl of  
King, Alfred John (Knutsford)  
Lamb, Ernest H. (Rochester)  
Layland-Barratt, Sir Francis  
Lea, Hugh Cecil (St. Pancras, E.)  
Lehmann, R. C.  
Lever, A. Levy (Essex, Harwich)  
Levy, Sir Maurice  
Lewis, John Herbert  
Lloyd-George, Rt. Hon. David  
Lough, Rt. Hon. Thomas  
Lupton, Arnold  
Lyell, Charles Henry  
Macdonald, J. R. (Leicester)  
M'Callum, John M.  
M'Crae, Sir George  
M'Kenna, Rt. Hon. Reginald  
M'Laren, H. D. (Stafford, W.)  
M'Micking, Major G.  
Mallet, Charles E.  
Markham, Arthur Basil  
Marks, G. Croydon (Launceston)  
Marnham, F. J.  
Mason, A. E. W. (Coventry)  
Massie, J.  
Menzies, Walter  
Mickletham, Nathaniel  
Molteno, Percy Alport  
Mond, A.  
Money, L. G. Chiozza  
Montagu, Hon. E. S.  
Morrell, Philip  
Murray, Capt. Hn. A. C. (Kincardine)  
Myer, Horatio  
Nannetti, Joseph P.

Napier, George T. B.  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Grady, J.  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Price, C. E. (Edinburgh, Central)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rees, J. D.  
 Richards, T. F. (Wolverhampton)  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter, F. (Pembroke)

Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Rutherford, W. W. (Liverpool)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Smith, F. E. (Liverpool, Walton)  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)

Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Ure, Alexander  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Ward, John (Stoke upon Trent)  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master  
 of Elibank.

### NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Balcarres, Lord  
 Balfour, Robert (Lanark)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood.  
 Barnes, G. N.  
 Beach, Hn. Michael Hugh Hicks.  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Brotherton, Edward Allen  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Cecil, Lord R. (Marylebone, E.)  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Douglas, Rt. Hon. A. Akers-  
 Duncan, Robert (Lanark, Govan)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.

Forster, Henry William  
 Gibbs, G. A. (Bristol, West)  
 Gordon, J.  
 Gretton, John  
 Hamilton, Marquess of  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, W.  
 Hope, James Fitzalan (Sheffield)  
 Joynson-Hicks, William  
 Kennaway, Rt. Hon. Sir John H.  
 Keswick, William  
 Kimber, Sir Henry  
 Law, Andrew Bonar (Dulwich)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 MacCaw, William J. MacGeagh  
 M'Calmont, Colonel James  
 M'Iver, Sir Lewis  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Mersey-Thompson, E. C.  
 Middlemore, John Throgmorton  
 Mildmay, Francis Bingham  
 Moore, William

Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Rawlinson, John Frederick Peel  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Rowlands, J.  
 Scott, Sir S. (Marylebone, W.)  
 Smith, Hon. W. F. D. (Strand)  
 Stanier, Beville  
 Staveley-Hill, Henry (Staffs.)  
 Talbot, Lord E. (Chichester)  
 Valentia, Viscount  
 Willoughby de Eresby, Lord  
 Wortley, Rt. Hon. C. B. Stuart.  
 Wyndham, Rt. Hon. George  
 Younger, George

TELLERS FOR THE NOES—Sir  
 William Bull and Mr. Cave.

Ordered, That it be an Instruction to the Committee to insert in the Bill a provision conferring purchasing powers on the London County Council. That any person affected by such a provision shall be entitled to be heard before the

Committee upon any Petition presented not later than 22nd October.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at twenty minutes after Eleven o'clock.

## HOUSE OF LORDS.

*Tuesday, 20th October, 1908.*

## EARL OF ROSSE.

Petition of William Edward Parsons, Earl of Rosse in the Peerage of Ireland, claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

The Lord Ettrick (*L. Napier*) took the Oath.

## PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House, That the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the Standing Orders applicable to the following Bill have been complied with: Local Government Provisional Order (No. 3).

The same was ordered to lie on the Table.

## RETURNS; REPORTS, ETC.

## TRADE REPORTS: ANNUAL SERIES.

No. 4146. Morocco (Casablanca).

No. 4147. Belgium (Belguim, 1907, and first half of 1908).

No. 4148. United States (agriculture of States of Oregon, Washington, Idaho, and Montana).

No. 4149. Sweden (Gothenburg).

## COLONIES: MISCELLANEOUS.

No. 56. Turks and Caicos Islands; Report on the salt industry, by Mr. F. H. Watkins, Commissioner of the Turks and Caicos Islands.

## TRANSVAAL.

Further correspondence relating to legislation affecting Asiatics in the Transvaal (in continuation of [Cd. 3892.], February, 1908.)

VOL. CXCIV. [FOURTH SERIES.]

## NATAL.

Further correspondence relating to Native affairs in Natal (in continuation of [Cd. 4194.] and [Cd. 4195.], July, 1908).

## MINES (ROYAL COMMISSION).

Minutes of Evidence taken before the Royal Commission on Mines, with index and appendices. Volume III.

## AGRICULTURAL STATISTICS (IRELAND).

Agricultural statistics of Ireland, with detailed Report for the year 1907.

## LAND LAW (IRELAND) ACT, 1887.

Return of the number of eviction notices filed during the quarter ended 30th September, 1908.

## NORTH SEA FISHERIES.

Third Report (Northern Area) on Fishery and Hydrographical Investigations in the North Sea and adjacent waters 1904-1906; Statistical Papers (in continuation of Second Report, Part I. Hydrography [Cd. 3358.]).

Presented (by command), and ordered to lie on the Table.

## DISEASES OF ANIMALS ACTS, 1894 TO 1903.

Order 7572, dated 8th October, 1908, revoking Order No. 6985, dated 11th October, 1905, and defining a specified part of the port of Manchester as a foreign animals wharf.

## DESTRUCTIVE INSECTS AND PESTS ACTS, 1877 TO 1907.

Order, dated 5th October, 1908, entitled "The American Gooseberry Mildew (Shropshire) Order of 1908."

## SUPERANNUATION (TREASURY MINUTES).

Granting retired allowances under Section 2 of the Superannuation Act to: Mr. H. S. Bell, telegraph engineer, second class, Post Office, dated 16th September, 1908; Mr. W. D. Ballantyne, sorting clerk and telegraphist, Edinburgh Post Office, dated 2nd October, 1908.

Lord President would be willing to agree to the slight increase of one which he proposed, in order to provide, in a manner which he thought would be more convenient than the other method suggested, for the representation of Ireland.

Amendment moved—

“In page 1, line 19, to leave out the word ‘fifteen,’ and to insert the word ‘sixteen.’”—  
(*Lord Ampthill.*)

LORD ASHBOURNE referred to his Amendment on the Paper also dealing with the number of persons of which the Council should consist. He agreed that it was not desirable to add to the number unduly, and that no increase should be made which could reasonably be avoided. He was prepared to acquiesce in the Government view to make way for an Irish nurse by reducing the number of English nurses from four to three rather than the proposal to increase the number of nurses from six to seven. The suggestion of the Lord President would work out the same without increasing the number of the Council. In a subsequent Amendment he asked that “eighteen” should be substituted for “fifteen,” but he admitted that that number would be one too many, and that he only required seventeen to carry out his object. If the Bill stood as Lord Ampthill and the Government suggested, the whole burden of representation in the case of Scotland and Ireland would be placed upon one nurse from each country. No one had a higher respect for Scottish and Irish female intelligence than he had, but it was hardly reasonable to say that that representation was adequate. The clause provided that one registered medical practitioner should be appointed by the Local Government Board for England. He proposed, in a subsequent Amendment, to provide also for one to be appointed by the Local Government Board for Ireland and one by the Local Government Board for Scotland. He was not concerned as to whether it might be desired to throw over some other members of the Council to make way for these two; but it was not reasonable in so large and important a Council to place the whole burden of maintaining

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the Irish or Scottish case upon one nurse. He hoped the Lord President would consider the matter.

\*VISCOUNT WOLVERHAMPTON said the question was, after all, what was the desirable number. The Committee who considered the Bill unanimously recommended that the number should not exceed fifteen, and they coupled with that a strong opinion that it should not be more than eleven. The Government were anxious that there should be full and proper representation on the Council, not only of England but also of Scotland and of Ireland; but he thought that in extending the number to sixteen they would be really going as far as they ought to go in the matter.

LORD ASHBOURNE wished to know who the sixteenth person was to be. Room was made for an Irish nurse by putting one of the English nurses aside and altering the number from four to three. That being so, where did the sixteenth person come in? He desired to make the number seventeen, so as to provide for one registered medical practitioner being appointed by the Local Government Board for Ireland and one by the Local Government Board for Scotland.

\*VISCOUNT WOLVERHAMPTON said there were to be seven registered nurses elected as the direct representatives of registered nurses. Four were to be elected by the nurses registered in the general register whose registered address was in England or Wales, one by the nurses registered in the general register whose registered address was in Scotland, one by the nurses registered in the general register whose registered address was in Ireland, and one, who should be a past or present matron of a public hospital for the insane, by the nurses registered in the Mental Nurses Register. That absorbed the entire number.

LORD AMPHILL held that there was a grave objection to the proposal of Lord Ashbourne. To increase the number of the representatives appointed by the Local Government Board would upset the balance between doctors and nurses on the Council—a matter likely to lead to a great deal of difficulty and jealousy.



Under the present proposal it was as evenly balanced as possible. The noble and learned Lord had said that the whole burden of representation would be on one nurse. He thought that hardly a fair statement of the case. They might take it that anybody appointed to a council of this kind would not be a partisan, but would endeavour to be representative of the interests of the whole kingdom. Secondly, there were the three persons appointed by the Privy Council, who might be taken to be impartial and generally representative. Those were his reasons for preferring to adhere to his own proposal that the Council should be increased by one only.

THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, I think the Committee will agree that, as a general principle, it is desirable that this Council should not be increased in numbers to a greater extent than can be helped. These bodies work more easily and more efficiently when not too large. The noble and learned Lord opposite asked how it was, if we were prepared to agree to the increase from fifteen to sixteen, that we also proposed to substitute three for four in subsection (f). The answer is that if sixteen is agreed to my noble friend would not propose to move the other Amendment, but would maintain the figure at four as it stands at present.

On Question, Amendment agreed to.

LORD STANMORE called attention to the provision in the clause that three members of the Council should be "appointed by the Privy Council." He asked whether the Lord President could inform him what was the meaning in this connection, of the words "appointed by the Privy Council." Did they mean appointed by the King in Council, or by the Lord President of the Council, or by the vote of the members of the Council?

\*VISCOUNT WOLVERHAMPTON said the appointments would be made in the same way as all other appointments made by the Privy Council—namely, by the Lord President.

LORD STANMORE thought it would be better that it should be so defined in the Bill.

VISCOUNT WOLVERHAMPTON moved to amend Paragraph (d)—

"Three registered medical practitioners to be appointed by the British Medical Association, one to be a physician, one a surgeon, and one a general practitioner."

by leaving out all the words after "Association."

Amendment moved—

"In page 2, line 5, to leave out from the word 'Association' to the end of Paragraph (d)."—  
(Viscount Wolverhampton.)

LORD AMPHILL accepted the Amendment, which would, he said, give greater latitude and discretion to the British Medical Association.

On Question, Amendment agreed to.

LORD ASHBOURNE moved to insert in place of the words which had just been omitted, the words "one to be resident in England, one to be resident in Ireland, and one to be resident in Scotland." He understood that these words would be accepted.

Amendment moved—

"In page 2, line 5, to insert the words 'one to be resident in England, one to be resident in Ireland, and one to be resident in Scotland.'"  
(Lord Ashbourne.)

LORD AMPHILL suggested that, instead of "resident in," words should be substituted providing that one should be representative of England, one of Ireland, and one of Scotland. There were obvious inconveniences attached to the words "resident in." The Council would probably meet in London, and it might be difficult for a doctor living in Ireland or in Scotland to attend; but there might be in London a doctor who would be regarded as representative of either Scotland or Ireland whom it would be convenient to place upon the Council. The words he suggested—namely, "representative of"—would, of course, not exclude the possibility of appointing a doctor who was resident in Scotland or in Ireland. The words were wider, and gave larger discretion,



and he hoped, therefore, that his suggestion would commend itself to Lord Ashbourne.

LORD STANLEY OF ALDERLEY said the words "representative of" would imply "chosen by," and would give rise to many opportunities of dispute.

\*VISCOUNT WOLVERHAMPTON said his difficulty in reference to Lord Ampthill's suggestion was: Who was to be the electing body? They would have to create some sort of organisation in Scotland and Ireland in order to elect the representative. He thought it would be better to leave it as was proposed by Lord Ashbourne.

On Question, Amendment agreed to.

LORD AMPHILL moved to increase from six to seven the number of registered nurses to be elected as the direct representatives of the registered nurses. This was, he explained, consequential upon the Amendment which their Lordships had already accepted in regard to the number of the Council.

Amendment moved—

"In page 2, line 10, to leave out the word 'six,' and to insert the word 'seven.'"—  
(*Lord Ampthill.*)

On Question, Amendment agreed to.

\*VISCOUNT WOLVERHAMPTON then moved that this additional member of the council should be elected by the nurses registered in Ireland.

Amendment moved—

"In page 2, line 15, after the word 'Scotland,' to insert the words 'one shall be elected by the nurses registered in the general register whose registered address is in Ireland.'"—  
(*Viscount Wolverhampton.*)

On Question, Amendment agreed to.

LORD BALFOUR OF BURLEIGH said that in these Amendments the Committee had dealt with the constitution and appointment of the general council. But the clause also provided for the appointment of a temporary council of six, which was to bring the Act into operation. Of these six, two

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were to be appointed by the Matrons' Council of Great Britain and Ireland, and one by the Society for the State Registration of Trained Nurses; and he desired to know whether the Lord President of the Council had satisfied himself that these bodies were of sufficient standing to be entrusted with these appointments. If such information as he had been able to obtain was correct, these two bodies were practically the same, or, at any rate, they were ruled by the same people.

\*VISCOUNT WOLVERHAMPTON said he had no personal knowledge of the composition of the bodies.

LORD AMPHILL said he could answer the question of his noble friend. The Matrons' Council was founded in 1894, and its primary object was to bring about a uniform system of education, examination, certification, and State registration of nurses in British hospitals. For years it maintained a committee which laboured steadily with that object in view; and its work increased so much that in 1902 it was decided to form a society having for its sole object the State registration of trained nurses. But until the formation of that society the Matrons' Council was the only body working to secure the registration of nurses, and that in itself, he thought, constituted a sufficient claim why it should be represented on the provisional council which was to set up the machinery for the election of the general council. He could guess what had suggested the question of his noble friend. There was a letter about the Bill in *The Times* that morning, which was as well timed as it was inaccurate. There were two flagrant inaccuracies which sufficiently condemned the rest of the letter. These were that the Matrons' Council was to be permanently represented on the general council; and that the Society for the State Registration of Trained Nurses was to enjoy a similar privilege. Their Lordships had the Bill before them, and they could see that these statements were quite inaccurate. As to the membership of the Matrons' Council, it consisted of close on 200 past and present matrons of hospitals and infirmaries, and that did not include

several honorary members, representing foreign countries and the Colonies, who had worked for the State registration of nurses. The membership might have been much larger but for the fact that many matrons were the paid servants of hospital committees, who were strongly opposed to the registration policy of the council.

LORD BALFOUR OF BURLEIGH said that, accurate as was Lord Ampthill's information generally, his guess in this case was entirely erroneous. His question was not prompted by the letter in *The Times*, because he had not fallen into either of the inaccuracies which the noble Lord had pointed out. He hoped the Lord President of the Council would satisfy himself of the standing of the two bodies by examining their lists of members before he allowed the Bill to pass in its present form.

THE EARL OF CREWE: My noble friend will, no doubt, take the step which the noble Lord suggests. But I might point out that this is really a temporary provision, and that the whole object of these subsections is to get a generally representative council of that very large section of the nursing body who are in favour of the registration of nurses. There are other nurses who are not in favour of registration, and do not wish to have anything to do with it. They, I suppose, do not desire to be and will not be, represented on this body. I confess it appears to me—and I have some knowledge of the composition of these bodies from having held the office which my noble friend now holds—that, generally speaking, that object of obtaining ladies who are representative of nursing will be very well carried out by the provisions contained in the Bill.

Consequential and drafting Amendments agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 8 agreed to.

Clause 9 :

Consequential Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10 :

Drafting and consequential Amendments agreed to.

LORD ASHBOURNE moved to add a new subsection providing that the council might appoint three or more members to act as a committee for Ireland and for Scotland, respectively, and might authorise each such committee, subject to revision or approval by the Council, to transact any business of the Council concerning Ireland or Scotland, respectively, which the Council might think it expedient to delegate to such committee. He hoped the Amendment would commend itself to the Lord President for he had been informed that these committees would be a great convenience.

Amendment moved—

“ In page 5, line 11, after the word ‘ Act,’ to insert ‘ The Council may appoint three or more members to act as a committee for Ireland and for Scotland, respectively, and may authorise each such committee, subject to revision or approval by the Council, to transact any business of the Council concerning Ireland or Scotland, respectively, which the Council may think it expedient to delegate to such committee.’ ”—(*Lord Ashbourne.*)

\*VISCOUNT WOLVERHAMPTON opposed the Amendment. He said the proposal was both unnecessary and inexpedient. He thought it undesirable to set up statutory committees who would require separate officials. The clerical work could be perfectly well done in the central office in London, and there was nothing to prevent the Council appointing sub-committees to report on specific points, which would be preferable to a statutory delegation of functions. Uniformity of regulations and procedure was desirable for all parts of the United Kingdom.

LORD ASHBOURNE said that after the Lord President's statement he would not press the Amendment.

Amendment, by leave, withdrawn.

THE MARQUESS OF SALISBURY understood that some little difficulty would arise under the Bill in respect to the



(the Lord President's) subsequent Amendment. He therefore accepted it.

LORD AMPTHILL could not agree to the Amendment, the effect of which would be that any institution could be recommended by the Local Government Board.

THE EARL OF CREWE: We have not reached that point yet. We are on the Amendment of Lord Ashbourne to leave out the words "a Poor Law," and to insert the word "an." I think if the noble Lord would agree to postpone the discussion until we come to the Amendment of my noble friend the Lord President it would be far more convenient, because the two points overlap.

LORD ASHBOURNE said the only question was whether the Lord President would think it desirable to press for the addition of the words "and certify to be wholly or partly maintained out of the rates." He ventured to hope he would not. Surely the Local Government Board might be trusted in the matter.

LORD STANLEY OF ALDERLEY hoped that, as a matter of order, the Committee would follow the advice of the noble Earl the Lord Privy Seal, and dispose of the non-contentious Amendment first. The further point as to the introduction of the rates would arise on a subsequent Amendment.

LORD AMPTHILL said that the only object in putting in the words "Poor Law institution" was to indicate that the Local Government Board should confine their recommendations to institutions over which they had a certain amount of control. The effect of Lord Ashbourne's Amendment would be to leave it open to the Local Government Board to recommend institutions with which they had nothing whatever to do.

THE EARL OF CREWE: I may say that we do not propose to agree to what the noble and learned Lord (Lord Ashbourne) suggests—namely, the omission of my noble friend's words when we come to them. We do not think it

would be reasonable to do what would be in effect turning the Local Government Board into the council; that is to say, to allow it to certify institutions of all kinds with which it has no sort of connection. I do not know whether Lord Ampthill is prepared to agree to the modified form of Amendment suggested by the Lord President, but if he is he will be able to allow the noble and learned Lord's Amendment now before the Committee to pass, because it is really part of our Amendment. Of course, if he objects *in toto* to any change in the Bill, he would be right in speaking now in order to express his views.

LORD BURGHCLERE thought there was a good deal of point in Lord Ampthill's contention, because if the Committee accepted the Amendment of Lord Ashbourne as it stood and did not eventually adopt the Amendment of the Lord President they would be placed in a position of great difficulty. He therefore suggested that Lord Ashbourne should withdraw his Amendment and allow the Lord President's Amendment to be moved in the form in which it stood on the Paper.

THE LORD CHAIRMAN: I take it that Lord Ashbourne will withdraw his Amendment.

LORD ASHBOURNE: Very well.

Amendment, by leave, withdrawn.

\*VISCOUNT WOLVERHAMPTON then moved to leave out "a Poor Law institution recommended by the Local Government Board" in order to insert "an institution which the Local Government Board recommend and certify to be wholly or partly maintained out of rates."

Amendment moved—

"In page 5, lines 16 and 17, to leave out the words 'a Poor Law institution recommended by the Local Government Board,' and to insert the words 'an institution which the Local Government Board recommend and certify to be wholly or partly maintained out of rates.'"  
—(Viscount Wolverhampton.)

LORD ASHBOURNE intimated that, as the Lord President and the Leader of



the House held that it was desirable that these words should be inserted, and as the noble Lord in charge of the Bill agreed, he would not press his opposition.

LORD STANLEY OF ALDERLEY regretted the insertion of the proposed words for the reason which Lord Ampthill had given for supporting their insertion. He thought there ought to be some body superior to the Council in order to secure that a proper hospital should not be boycotted on account of professional jealousies.

LORD AMPHILL said that Clause 10 established the Privy Council as the authority superior to the Nursing Council, and in any case it was best not to anticipate that unfair and invidious distinctions would be made.

THE MARQUESS OF SALISBURY hardly thought Clause 10 covered the point. No doubt Clause 10 gave the Privy Council a general power to control the regulations made under that clause; but Clause 11 contained a specific enactment which no regulations made by the Privy Council would be allowed to overcome. There certainly ought to be some authority with the right of jurisdiction in the case of institutions rashly or unfairly excluded by the Nursing Council. He suggested that the noble Lord in charge of the Bill should consider whether the Privy Council should not be inserted in place of the Local Government Board.

On Question, Amendment agreed to.

Amendment moved—

"In page 5, line 17, after the word 'institution,' to insert the words 'or institutions,' and after the word 'Board,' to insert the words 'of England, Ireland, or Scotland.'"—(Lord Ashbourne.)

\*THE LORD CHAIRMAN: Is this a consequential Amendment?

On Question, Amendment agreed to.

LORD ASHBOURNE desired before the Committee passed from Clause 11, to ask the attention of the Lord President to one particular matter. There were, he said, a number of nurses in Ireland  
*Lord Ashbourne.*

at the present moment who had worked for some considerable time under the certificate of the Local Government Board. Clause 11 was framed with a view of saving the *status* of existing nurses, and he would be glad if the Lord President would consider before the next stage of the Bill whether words could not be inserted which would save the right to go on the register of nurses at present certified by the Local Government Board.

\*VISCOUNT WOLVERHAMPTON assured the noble and learned Lord that the point should receive consideration before the Report Stage.

LORD AMPHILL said the Committee had been rushed into an acceptance of the last Amendment, moved by Lord Ashbourne, on the assurance of the Lord Chairman that it was consequential. It was consequential, but consequential upon an Amendment which had been withdrawn—that was, so far as the first part of it was concerned. As to the second part of the Amendment, inserting after the word "Board," the words "of England, Ireland or Scotland," that matter had been disposed of by the definition clause carried on the Motion of the Lord President of the Council. Lord Ashbourne's Amendment, therefore, was not necessary, but he (Lord Ampthill) had no opportunity of intervening before it was passed.

THE LORD CHAIRMAN: It can be put right on Report.

Clause 11, as amended, agreed to.

Clause 12:

LORD ASHBOURNE said he understood that the principle of his Amendment to this clause was accepted by the Lord President. It was really consequential.

Amendment moved—

"In page 5, line 25, after the word 'hospital' to insert the words 'or of hospitals.'"—(Lord Ashbourne.)

LORD AMPHILL, in expressing his agreement with the Amendment, explained that though they seemed trivial



these words met an important case. The tendency of hospitals was to specialise, to have special hospitals for special diseases, and the consequence was that a fully-trained nurse had to undergo her training at more than one hospital. The provision as it stood might be read to require that she must have a certificate from one hospital only. The words which their Lordships had already inserted in the Bill and which it was now proposed to add in Clause 12 met this difficulty—a difficulty, which he understood, would arise more particularly in Ireland.

On Question, Amendment agreed to.

Consequential and drafting Amendments agreed to.

Clause 12, as amended, agreed to.

Clause 13 :

Consequential Amendment agreed to.

Clause 13, as amended, agreed to.

Clause 14 :

Consequential Amendment agreed to.

Clause 14, as amended, agreed to.

Clause 15 :

Drafting Amendment agreed to.

LORD AMPHILL said the clause provided for the payment by every registered nurse of a fee of 2s. 6d. before 13th January in each year, and if a nurse made default, his or her name "shall" be removed from the register, but "may" be restored in certain circumstances. He moved to substitute "may" for "shall" in the first case and "shall" for "may" in the second. He pointed out that no latitude was given in the case of a nurse living abroad. He thought the removal of a name should be discretionary and the restoration of the same obligatory.

Amendment moved—

"In page 6, line 17, to leave out the word 'shall,' and to insert the word 'may,' and in

line 18, to leave out the word 'may,' and to insert the word 'shall.'"—(Lord Amphil.)

LORD BALFOUR OF BURLEIGH thought that if the restoration was to be made, as declared in the clause, on proof that the failure to pay was due to inadvertence or mistake or on other satisfactory explanation, it should remain discretionary.

LORD AMPHILL said he was going to ask their Lordships, without notice, to leave out the last sentence of the section.

THE EARL OF CREWE : I do not feel sure that that would be quite a safe course to take, because it might almost involve the restoration of the name of a nurse whom it was undesirable to restore for other reasons. I think it would be far better to change "shall" to "may" in the first case, but to leave "may" in the second case.

LORD AMPHILL expressed his willingness to bow to the opinion of the Lord Privy Seal in the matter, and amended his Amendment accordingly by deleting the second half.

On Question Amendment, as amended, agreed to.

Clause 15, as amended, agreed to.

Clause 16 agreed to.

Clause 17 :

LORD AMPHILL moved to amend the provision enacting a penalty in the case of anyone not registered under the Bill who, after the commencement of the Act, knowingly used the title "registered nurse." He moved to substitute for the word; "after the commencement of this Act" the words "after the publication of the first Annual Register of Nurses." The expression now in the clause was a little vague, and he thought it would be an improvement to define more accurately the precise moment of time.

Amendment moved—

"In page 6, line 37, to leave out the words 'commencement of this Act,' and to insert the

words 'publication of the first Annual Register of Nurses registered under this Act.'—  
(*Lord Ampthill.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause 17, as amended, agreed to.

Clause 18 agreed to.

Clause 19 :

Consequential Amendment agreed to.

Clause 19, as amended, agreed to.

Clause 20 :

LORD AMPTHILL had an Amendment on the Paper to Clause 20. The clause provided that—

“ Before suspending or removing any nurse's name from the register on account of breach of any rules or misconduct, the Council shall send to such nurse a statement in writing by registered letter, of the breach or misconduct imputed to him or her, and shall afford the nurse an opportunity of giving an explanation in writing or in person ; ”

and the Amendment proposed to add at the end of the clause the words—

“ And of being legally represented if he or she so desires.”

He said that on further consideration, he was very much inclined to ask their Lordships' permission not to move this Amendment. It had been represented to him from various quarters that it was desired, both by doctors and nurses, that a provision of this kind should be inserted ; but he now felt that the point was amply met by the right of appeal accorded in Clause 21, and it seemed to him very possible that an addition of this kind to the clause might suggest the employment of counsel and be a very considerable embarrassment to the Nursing Council. If, therefore, their Lordships had no objection he would not move the Amendment.

LORD ASHBOURNE, who had a similar Amendment on the Paper, said that unless he heard some further reason from the Lord President of the Council he would move his Amendment. He did not wish to encourage the incurring

of legal costs, but it might happen that a nurse's character and *status* were at stake, and she might be ruined if she had not an opportunity of making her case. It might be that she was unable to do it herself, and there should be a provision that in such circumstances she might have the benefit of professional assistance. He, therefore, thought it reasonable to insert the proposed words.

Amendment moved—

“ In page 7, line 35, after the word ' person,' to insert the words ' or by legal representation if he or she so desires.' ”—(*Lord Ashbourne.*)

\*VISCOUNT WOLVERHAMPTON said the Government took the view which Lord Ampthill had expressed, that the insertion of these words would considerably add to the cost of the procedure and involve a sort of legal trial in every case. Moreover, the Bill already provided for an appeal to a proper Court, where the matter would be fully considered.

LORD ASHBOURNE intimated that he would not press his Amendment.

Amendment, by leave, withdrawn.

Clause 20 agreed to.

Clause 21 :

LORD ASHBOURNE moved to amend this clause, which ran—

“ Any registered nurse aggrieved by a decision of the Council removing his or her name from the register within three months from the notification of such decision may appeal therefrom to the High Court of Justice in England and Wales, and to the Lord Ordinary officiating on the Bills in the Court of Session in Scotland, and such appeal shall be final.”

He proposed to insert, after the word “therefrom,” the words “according to his or her registered place of residence, either” and to insert, after the word “Wales,” the words “or to the High Court of Justice in Ireland.” This was a matter of machinery, and his Amendment provided that regard should be had to the registered place of residence.

Amendment moved—

“ In page 7, line 39, after the word ' therefrom,' to insert the words ' according to his or

her registered place of residence, either,' and after the word 'Wales,' to insert the words 'or to the High Court of Justice in Ireland.'"  
—(Lord Ashbourne.)

LORD AMPTHILL was disposed to accept the Amendment if the noble and learned Lord persisted in it, but ventured to suggest a difficulty that might arise. A nurse who had given her permanent residence as in Ireland, but who happened for the time being to be attending a case in England, would be compelled, under Lord Ashbourne's Amendment, to appeal to the High Court of Justice in Ireland. In such a case the provision would constitute a great inconvenience.

LORD ASHBOURNE said the Amendment had been drafted after full consideration and on the advice of a high legal authority.

\*VISCOUNT WOLVERHAMPTON recognised the difficulty to which Lord Ampthill had called attention, and asked whether it would not meet the case if an alternative were given to the appellant to go to any one of the three Courts. It would obviously be unfair to compel a nurse who was at the moment living in Ireland, but whose registered address was in England, to come over to England to maintain the appeal, and *vice versa*. Perhaps the noble and learned Lord would consider the point. He was sure their only desire was to do what was right in the interests of those concerned.

LORD BALFOUR OF BURLEIGH said that as the clause stood the nurse might appeal to the High Court of Justice in England and Wales and to the Lord Ordinary officiating on the Bills in the Court of Session in Scotland. The whole drafting of the Clause required reconsideration.

\*VISCOUNT WOLVERHAMPTON expressed the opinion that an appeal to the County Court would meet the case.

LORD STANLEY OF ALDERLEY thought the Lord President's previous suggestion—namely, that the appellant should have power to go to any one of the three Courts—the right one. He hoped that on Report the Lord President

would deal with the matter in that way. The residence of the nurse was not a material matter.

LORD ASHBOURNE thought it would be wiser to leave the words out at this stage, and consider the matter further before Report.

Amendment, by leave, withdrawn.

Drafting Amendment agreed to.

Amendment moved—

"In line 2, after the word 'Scotland,' to insert the words 'and to the High Court of Justice in Ireland.'"—(Viscount Wolverhampton.)

LORD BALFOUR OF BURLEIGH questioned whether the word "and" in the Amendment should not be "or."

THE EARL OF CREWE: I think "and" is used before in the clause, and erroneously. It should be "or" in each case.

\*VISCOUNT WOLVERHAMPTON: I will carefully consider the drafting before the Report stage.

Clause 21, as amended, agreed to.

Clause 22 agreed to.

Clause 23:

Amendment moved—

"To leave out Clause 23."—(Viscount Wolverhampton.)

On Question, Amendment agreed to.

Clause 24 agreed to.

LORD AMPTHILL moved the addition of the following new clause: "This Act shall not be construed to affect or apply to the gratuitous nursing of the sick by friends or members of a family, and also it shall not apply to any person attending the sick for hire, but who does not in any way assume to be a registered nurse under this Act." He was doubtful as to the expediency of introducing this clause, and he was not satisfied with the wording, but it had been strongly desired by some

members of the medical profession and by authorities in Ireland. He did not think there was anything in the Bill to suggest that gratuitous nursing would be affected, but he invited an opinion from the Committee.

Amendment moved—

“To insert the following new clause: ‘This Act shall not be construed to affect or apply to the gratuitous nursing of the sick by friends or members of a family, and also it shall not apply to any person attending the sick for hire, but who does not in any way assume to be a registered nurse under this Act.’”—(*Lord Ampthill*.)

THE EARL OF MAYO suggested that better words would be: “This Act shall not apply to or affect nursing of the sick by any person not registered under the Act, and who does not in any way assume to be a registered nurse.” There was a strong feeling in regard to nursing by nuns in hospitals. It was a delicate subject to approach, but he thought that words should show that the Act cast no slur on nurses not on the register.

\*VISCOUNT WOLVERHAMPTON was inclined to think that danger of a misunderstanding of the Act as interfering with gratuitous nursing was imaginary. He could not consent to the Amendment without further consideration.

THE EARL OF MAYO agreed with the Lord President that the danger was, perhaps, imaginary, but said that imaginary dangers in Ireland very often worked against the beneficial operation of an Act of Parliament, and they wished to avoid that in this case.

LORD BURGHCLERE thought it was a matter that might be dealt with in the definition clause.

THE MARQUESS OF LANSDOWNE: So far as I am able to understand the subject before us, these words are really quite unnecessary, and I should venture to suggest that they were not only unnecessary but somewhat misleading. There is nothing in the Bill, as I find it, which could possibly affect or apply to gratuitous nursing by members of a family or others, and if we insert these words we suggest that there is something

*Lord Ampthill.*

in the Bill which it does not contain. My noble friend was, evidently, by his language, not much enamoured of his own Amendment, and I venture to advise him not to press it.

LORD ASHBOURNE said the Bill was popular with nurses, but to avoid mistaken ideas getting about, it would be well that words should be introduced making it abundantly plain that non-registered nurses were absolutely free to follow their calling.

THE EARL OF CREWE: I have no objection whatever to this matter being considered again on Report, but I find myself in general agreement with the noble Marquess on the Front Opposition Bench. It seems to me that the insertion of words of a kindly and consoling character, to reassure people who do not read the Act of Parliament and do not know the law, is a practice which ought as far as possible to be avoided, and I hope the matter will be allowed to drop.

Amendment, by leave, withdrawn.

LORD AMPHILL also had the following new clause on the Paper—

“Nothing contained in this Act shall be considered as conferring any authority to practise medicine or to undertake the treatment or cure of disease.”

He said it was of the same character as the clause which had just been under discussion, and was for the purpose of addressing what the noble Earl the Leader of the House had called kindly and consoling words to the medical profession. His own view was that the clause did not seem necessary, and as he took it that that was the sense of the Committee he would not move it.

Title:—

Amendment moved—

“In page 1, to leave out the words ‘qualifications of trained nurses, and to provide for their registration,’ and to insert the words ‘registration of nurses.’”—(*Viscount Wolverhampton*.)

On Question, Amendment agreed to.

\* Standing Committee negatived: The Report of Amendments to be received

on Monday next, and Bill to be printed as amended. [No. 210].

### IRISH LOANS—RETURN.

**THE EARL OF MAYO:** My Lords, I rise to ask His Majesty's Government whether the Return as to loans contracted by local authorities in Ireland, etc., ordered to be laid before the House on the 21st July last has yet been furnished. I am told that the Return is likely to be laid upon the Table in dummy to-morrow, but we do not want it in dummy; we want the real thing. There is a Bill shortly to come before your Lordships' House dealing with the housing of the working-classes in Ireland, and it is most important that this Return should be laid on the Table before that discussion is taken. I am told, also, that the delay is due to the printers in Ireland. This is not the first time that we have had to complain of that sort of thing. The Return was ordered to be laid before the House on 21st July, and surely plenty of time has elapsed to enable a Return of that sort to be printed. I see the noble Lord, Lord Denman, in his place, and I should like to ask if there is any chance of our having the Return before the Bill to which I have referred comes up for consideration in Committee.

**LORD DENMAN:** The noble Earl has been misinformed with regard to the Return in question. It was laid on the Table on Friday, and was sent to Ireland to be printed on that day. I cannot tell the noble Earl when we shall get the Return back from the printers—that really is not my business—but I hope it will be here to-morrow. It was an extremely complicated Return, and I can assure the noble Earl that no time was lost in its preparation. In case the Return is not back from the printers in time, I would suggest that the noble Earl or any other Peer interested should call at the Irish Office and look at the copy, of which they can make any use they wish in the discussion on the Housing Bill.

House adjourned at Six o'clock,  
till To-morrow, a quarter past  
Four 'clock

## HOUSE OF COMMONS.

*Tuesday, 20th October, 1908.*

The House met at a quarter before Three of the Clock.

### PETITIONS.

#### LICENSING BILL.

Petitions against: From Burton Latimer; Desborough; Faversham; Great Addington; Polebrook; Raunds (four); Ringstead (three); Rothwell; Thrapston; and Woodford (two); to lie upon the Table.

Petitions in favour: From Barnstaple; Burnley; Calne; Cheetham Hill (two); Cottingham; Keighley; Liverpool; London (four); Manchester; Walsall; and York (three); to lie upon the Table.

#### POOR LAW AMENDMENT (SCOTLAND) BILL.

Petition from Slamannan, in favour; to lie upon the Table.

#### WOMEN'S ENFRANCHISEMENT BILL.

Petition from Glasgow, in favour; to lie upon the Table.

### RETURNS, REPORTS, ETC.

#### LOCAL TAXATION (SCOTLAND).

Copy presented, of the Annual Local Taxation (Scotland) Returns for the year 1906-7 [by Act]; to lie upon the Table, and to be printed. [No. 302.]

#### NATAL.

Copy presented, of Further Correspondence relating to Native Affairs in Natal [by Command]; to lie upon the Table.

#### OLD-AGE PENSIONS ACT, 1908.

Return ordered, "of Copies of Circulars issued by the Local Government Board, dated the 4th day of August, the 21st day of August, and the 10th day of October, 1908."—(*Mr. Burns.*)



## QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

### Persons under Police Protection in Ireland.

MR. LONSDALE (Armagh, Mid): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the number of persons receiving constant police protection by patrols throughout Ireland on the last day of each month from January to September, 1908.

(Answered by Mr. Birrell.) The following list gives the numbers of persons receiving special police protection; (a) constant; and (b) by patrols, on the dates mentioned—

Date.	Constant.	By Patrol.
1908.		
31st January -	54	216
29th February -	61	217
31st March -	60	225
30th April -	63	228
31st May -	70	232
30th June -	71	238
31st July -	83	246
31st August -	89	244
30th September -	104	252

### Treatment of the Imprisoned Suffragists.

MR. SWIFT MACNEILL (Donegal, S.): To ask the Secretary of State for the Home Department what modifications, if any, have been made in the treatment of the ladies now undergoing terms of imprisonment for offences in connection with the women suffrage agitation as compared with the treatment to which ladies undergoing imprisonment for such offences on former occasions have been subjected; were these ladies, or any of them, as in the former cases, searched by female warders and divested of all clothing during that search; are they kept in solitude for twenty-three hours out of the twenty-four, and is the twenty-fourth hour of recreation allocated half to attendance in chapel and half to exercise in the prison yard; have they, or any of them, been compelled to wear prison garb, and has this prison dress in any cases been previously worn by the ordinary class of women convicts, the dress being in actual contact with the skin; are

they permitted to send or to receive letters or to be visited, and are they supplied with books, and, if so, at what time are they permitted to read them; and whether, having regard to the intimation that consideration would be given to the question whether the prison conditions would be relaxed or modified in cases in which the offence did not fall within the category of ordinary crimes, he will now state what steps, if any, have been taken to lighten the severity of the prison regime in the case of these ladies.

(Answered by Mr. Secretary Gladstone.) Certain changes have been made at Holloway for all female prisoners in the second division, and are now in operation. They are briefly as follows: (a) A chair with a back has been placed in each cell instead of the stool usually provided; (b) Warm water for washing is supplied to those who desire it, with the medical officer's permission; (c) Visits are now received in a special room and not in the usual visiting box; (d) Work is carried on in association; (e) Books are allowed to be changed more frequently. With regard to the suffragist prisoners in particular, the reply to the Question is as follows: They were all searched on reception, but were not divested of all clothing during that search. They are not kept in solitude for twenty-three hours out of the twenty-four. They go to chapel for about twenty-five minutes every week-day, and about two and three-quarter hours on Sunday. They are occupied about five hours daily at associated labour, and they take exercise for one full hour every day. They wear the prison dress of the second division, which is of a different colour from that worn by other prisoners. In every case the underclothing has been new, while the outer clothing, if not absolutely new, has been previously worn only by suffragist prisoners. They are allowed letters and visits in accordance with the rules for second division prisoners, namely, to receive one visit in each month, and to write and receive one letter in each month, but special letters and visits are permitted if any emergency arises. They have a liberal supply of books, and are allowed to read them at any time during

the day, or evening up to eight o'clock, when they are not engaged in work.

#### **Hours of Duty at Lurgan Post Office.**

**MR. MOORE (Armagh, N.):** To ask the Postmaster-General whether he is aware that the duties at the Lurgan office are principally late evening and night, and cover an attendance of fourteen and a half hours; whether the male staff do not average one month's early evening relief during the year; whether, in official evidence given before the Hobhouse Committee, it was stated that at the last revision it was arranged to withdraw women and employ men only; whether the female staff is practically equal with the male; and whether he will make inquiry into these duties with a view to improvement.

*(Answered by Mr. Sydney Buxton.)* The inquiries which are being made in the matter are not yet completed, and I will communicate with the hon. Member as soon as I am in possession of the facts.

#### **Recommendation of Committee on Irish Forestry.**

**MR. WILLIAM REDMOND (Clare, E.):** To ask the Vice-President of the Department of Agriculture (Ireland) whether the Government intend to carry out the recommendations of the Departmental Committee in Ireland on Forestry.

*(Answered by Mr. T. W. Russell.)* The Department are in communication with the Treasury on the subject, but are not yet in a position to make any definite announcement.

#### **Reduction of Sentences on Bombay Rioters.**

**MR. REES (Montgomery Boroughs):** To ask the Under-Secretary of State for India whether the Government of Bombay has commuted the sentence of transportation passed on Bal Gangadhar Tilak from transportation to simple imprisonment, and has reduced the sentences passed upon the persons convicted of participation in the recent riots in Bombay.

*(Answered by Mr. Buchanan.)* The answer is in the affirmative.

#### **Indian Criminal Appellate Judges.**

**MR. REES:** To ask the Under-Secretary of State for India whether he can inform the House what answer was returned by the High Court of Calcutta to the communication it received from the Government of India bringing under its notice the representation of the Behar Planters Association, arising out of the murder of Mr. Bloomfield, that Criminal Appellate Courts, whose judgments are final, should invariably be composed of Judges who are thoroughly experienced and are well versed in the Indian criminal law.

*(Answered by Mr. Buchanan.)* The Secretary of State has no information as regards the correspondence referred to between the Government of India and the Calcutta High Court.

#### **Memorial of Mr. C. W. Allan, Indian Forest Service.**

**SIR SEYMOUR KING (Hull, Central):** To ask the Under-Secretary of State for India whether the Secretary of State has now considered the Memorial addressed to him by Mr. C. W. Allan, an extra Deputy Conservator of Forests in the Burma provincial service; whether Mr. Allan, after passing through the college at Dehra Dun, joined the Indian Forest Service on 1st February, 1887, at a time when it was provided by Section 21 of the then Forest Department Code that, after five years approved service as Sub-assistant Conservator of Forests, he would be drafted into the upper controlling staff; whether he is aware that in 1891 the Government issued a new Forest Department reorganisation scheme debarring all officers thenceforward appointed in India from promotion to the upper controlling staff; that, having done four years of admittedly approved service, the new scheme was by *ex post facto* ruling applied to Mr. Allan's case; whether he is aware that recently the Secretary of State for India has sanctioned the transfer of Mr. Shrish Chandra Chakrabatti from the provincial to the Imperial engineering service on the ground that, as he had actually entered the Sibpur Engineering College before the issue of the orders closing the Imperial service to students of Indian engineering colleges, he had an equitable right to an

appointment in the Imperial service; will he state on what ground, in an analagous case, Mr. Allan has been refused similar treatment; and whether the Government of India will be directed to remedy the grievance from which Mr. Allan is suffering.

(*Answered by Mr. Buchanan.*) The Secretary of State has considered Mr. Allan's Memorial and has decided not to interfere with the orders of the Government of India refusing to promote him to the Imperial Forest Service. The Government of India have found that the rules in force in 1887 did not guarantee to Mr. Allan that he would be drafted into the upper controlling staff after five years approved service, but merely made him eligible for selection for such promotion on the ground of special merit. In the reorganisation of 1891 it was held, after consideration, that Mr. Allan had no claim as of right to be promoted to the Imperial Service. He was therefore placed in the Provincial Service, and the Government of India, having regard to his training and abilities have declined to promote him to the Imperial Service. The case of Mr. Shrish Chandra Chakrabatti stands on quite a different footing and was governed by other rules.

#### **Trypanosomiasis in Uganda.**

MR. REES: To ask the Under-Secretary of State for the Colonies how much of the grant-in-aid of £85,000 from the Imperial Exchequer to Uganda Protectorate in 1907-8 was expended on preventive measures taken against the spread of trypanosomiasis and syphilis; and how much of the like grant of £25,000 to Nyasaland was expended in preventing the spread of the former disease towards the latter Protectorate.

(*Answered by Colonel Seely.*) A sum of about £11,000 was provided in the Uganda Estimates for 1907-8 for the purpose of combating trypanosomiasis. An expert was sent out during the same year to report on the question of syphilis. His report has now been received and considered, and a sum of £2,000 has been inserted in the Estimates for the current year for the purpose of providing better and more systematic medical treatment for the natives who are suffering from

the disease. With regard to Nyasaland, efforts were directed during 1907-8 to ascertaining the distribution of trypanosomiasis in the countries bordering on the Protectorate and of the various kinds of tse-tse fly within the Protectorate. This information appears to be an essential preliminary to any proper scheme of prevention.

#### **Native Protectorates—Payment of Taxes in Kind.**

MR. REES: To ask the Under-Secretary of State for the Colonies whether the tax payable by natives in Protectorates should not be paid in kind in order to the development of local crops and products, rather than in money, to earn which they have to some extent to emigrate to more or less distant territories.

(*Answered by Colonel Seely.*) In West African Protectorates there is but little direct taxation, and payment is accepted in kind wherever coin does not circulate freely. In Nyasaland and the other Protectorates north of the Zambesi, and also in the Bechuanaland Protectorate, the hut tax is payable in coin, but power is given, under varying conditions, to the collector to accept stock or produce in lieu. In South Africa the hut tax, which is the usual form of direct taxation, is collected in money, but it is a form of taxation which has been in force for many years and is well understood by the natives. The natives in the East Africa Protectorate and Uganda can pay their hut tax in kind or money, but now that the natives are getting more money payment in the latter is becoming more general.

#### **Railway Rate on Spirits in the Gold Coast.**

MR. ARMITAGE (Leeds, Central): To ask the Under-Secretary of State for the Colonies why there has been a reduction in the railway rate on spirits in the Gold Coast, and what the reduction amounted to.

(*Answered by Colonel Seely.*) There has been no alteration in the railway rate on spirits in the Gold Coast since May, 1907, when the special rate of 3s. 9d. a ton was abolished and spirits

were placed in Class I. They are now carried at the highest rate charged on other Class I. articles, namely, 2s. 6d. per ton for the first 50 miles, 2s. 3d. per ton for the next 50, 2s. per ton for the next 50, and 1s. 9d. a ton for mileage beyond 150 miles.

#### **Land Acquired for Small Holdings.**

**MR. R. HARCOURT** (Montrose Burghs): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he can state the acreage of land actually acquired or in process of acquirement under the Small Holdings and Allotments Act by the county councils of England and Wales, severally.

*(Answered by Sir Edward Strachey.)* Numerous negotiations for the acquisition of land are going on of which we are not fully informed, and it is not possible therefore to give accurate information under this head. But some 12,000 acres have actually been acquired, about 600 acres of which are in Wales and the remainder in England.

#### **The Movement of Swine.**

**MR. FIELD** (Dublin, St. Patrick): To ask the hon. Member for South Somerset as representing the President of the Board of Agriculture, what basis there was for issuing the Swine Fever (Regulation of Movement) Order, 1908, what was the object of the same, how many local authorities enforced it, and in how many instances cancellments of the original Order were issued.

*(Answered by Sir Edward Strachey.)* The need for the uniformity and simplification of the conditions attaching to the movement of swine for slaughter has been for some time past strongly urged, especially by meat traders, and the object of the issue of the Order, to which my hon. friend refers, was to give effect to those representations. The Order applies to the whole of Great Britain with the exception of three boroughs, which are subject to special Orders. The original Order was superseded and the new Order imposed in eleven districts.

#### **Recruiting of Provincial Telephonists.**

**MR. SEDDON** (Lancashire, Newton): To ask the Postmaster-General whether he will state the manner in which telephonists employed in provincial offices are recruited; whether local postmasters have the power of selection delegated to them; and whether, if this is the case, any steps are taken to eliminate preference being shown to individuals.

*(Answered by Mr. Sydney Buxton.)* Telephonists in provincial post offices are recruited from among candidates whose names have been recorded by the local postmasters; and, provided they are suitable and eligible under the regulations, they are selected, on the occurrence of vacancies, in the order in which they have made application. I have no reason to suppose that postmasters show improper preference.

#### **School Attendances—Time occupied travelling to Swimming-Baths.**

**MR. HORNIMAN** (Chelsea): To ask the President of the Board of Education whether his attention has been called to the fact that under the present regulations of the Board of Education the time occupied by children in travelling to and from the baths is not reckoned as part of the minimum time for school attendance, which must not be less than two hours for secular instruction to enable a grant to be paid, and that consequently the present regulations prevent many children from receiving instruction in the healthy and useful art of swimming; and whether he will consider the advisability of amending the regulations accordingly.

*(Answered by Mr. Runciman.)* The Board have decided that a reasonable time spent by scholars in going to and from swimming-baths may be reckoned as part of the minimum time required for an attendance.

#### **The Unemployed and the Construction of Motor Roads.**

**MR. H. H. MARKS** (Kent, Thanet): To ask the President of the Local Government Board whether he will consider the possibility of utilising some portion of the supply of unemployed labour now available upon the construction



of motor roads throughout the country to accommodate the growing motor traffic.

(*Answered by Mr. John Burns.*) Parliament has not at present authorised the construction of any roads for the exclusive use of motor traffic. In the absence of the legislation necessary to give such authority I am afraid it would not be practicable to adopt the suggestion in the Question.

#### **Expenses of the Clerical Staff of the Edmonton Urban District Council.**

MR. H. H. MARKS: To ask the President of the Local Government Board whether the salaries paid to the clerical staff of the Edmonton Urban District Council amounts to £6,000 a year, which is equal to an 8d. rate; and, if so, whether he can take steps to urge upon the Edmonton Urban District Council the desirability of keeping clerical and official expenses within reasonable limits.

(*Answered by Mr. John Burns.*) According to a statement furnished to me by the clerk to the district council, the salaries of the officials and clerical staff of the council during the last financial year amounted to £5,891; but this sum includes the salaries of such officers as the road foreman, farm bailiff, and the superintendents of the baths, cemetery, and fire brigade, and also the salaries of the medical officer of health and inspector of nuisances, half of which are repaid by the county council. It will be seen, therefore, that a considerable part of the amount mentioned above is not expended on the clerical staff.

#### **The Suffrage Disturbances—Cost of Extra Police.**

MR. BERTRAM (Hertfordshire, Hitchin): To ask the Secretary of State for the Home Department if he can state what was the cost of the special police protection afforded to the Palace of Westminster by reason of the suffragette demonstration directed against the House of Commons on Tuesday, 13th October last; and whether in the interests of the taxpayers, he will take any steps to recover any portion

of this cost from the Women's Social and Political Union, which gave notice of and arranged the demonstration.

(*Answered by Mr. Secretary Gladstone.*) I cannot say what was the total cost involved on the occasion in question. I know of no means of recovering any portion of this cost from the Women's Social and Political Union.

#### **Franco-British Exhibition—Payment of Income-Tax by Foreign Stall-holders.**

MR. H. H. MARKS: To ask Mr. Chancellor of the Exchequer whether he can now state the decision arrived at with reference to the payment of income-tax by foreign stall-holders at the Franco-British Exhibition.

(*Answered by Mr. Lloyd-George.*) As the result of inquiries which have been instituted, it would appear that no profits assessable for income-tax purposes have been made by foreign stall-holders at the Franco-British Exhibition.

### **QUESTIONS IN THE HOUSE.**

#### **War Office Extensions on Salisbury Plain.**

MR. WALTER LONG (Dublin, S.): I beg to ask the Secretary of State for War whether it is proposed to acquire more land for military purposes in the neighbourhood of Salisbury Plain; and, if so, whether this House will have any opportunity to consider the matter before definite steps are taken.

THE SECRETARY OF STATE FOR WAR (MR. HALDANE, Haddington): It is proposed to acquire an additional area of land adjoining existing War Department property on Salisbury Plain for the purpose of an artillery range. I do not think I should be carrying out the wishes of the House when it passed the Territorial and Reserve Forces Act if I failed to take such steps as were essential for securing the efficiency of the Territorial Force. The immediate provision of an artillery range in the South of England is an absolute necessity, and I should not consider myself justified in agreeing to any delay with regard to it. The House will have an opportunity of discussing this purchase on next year's



Estimates, but I do not think I should be doing what is right or what the public interest requires were I to suspend action until that time.

MR. WALTER LONG pressed for an answer whether the House would have an opportunity of discussing the question whether the land selected by the Government was the most suitable for the purpose, and whether land of a more suitable character could not be obtained without carrying out a wholesale system of evictions.

MR. HALDANE said that he had carefully inquired into all the circumstances, and he was satisfied that the mass of public opinion was entirely in favour of the action the department had taken. He could not suspend what was necessary action in behoof of the Territorial Forces.

MR. WALTER LONG asked whether the House was to understand that this proposal involving grave hardship was to be carried out without an opportunity being given to the House to discuss it.

MR. HALDANE said that it was a question of purchasing four houses and, 5,500 acres from willing sellers.

MR. WALTER LONG: No.

MR. HALDANE said as far as he knew this was the case; at any rate, no notice had been given of any serious opposition. He was satisfied that in no other way could he provide for the efficiency of the Territorial Forces, and with the hope of progress being made before next summer. The War Office had taken the utmost pains to provide for those who wanted small holdings and compensation for those affected.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): On what Vote is this expenditure to be charged?

MR. HALDANE said that the purchases would be made under powers contained in the Public Works Loans Act of last year.

MR. WALTER LONG: Are we to understand that the Government proposes to carry this out without giving the House any opportunity of discussing it until the whole operation has been completed?

MR. HALDANE: The House passed the Public Works Loans Act last summer for the very purpose of enabling the Territorial Associations to acquire ranges. It is under those powers that we are proceeding. We are taking every step in our power to prevent hardship. Everywhere the War Office goes for land it is met with this kind of objection and prices are raised. I must really be allowed some discretion. I am blamed at one moment for not going fast enough, and whenever I move I am pulled up.

MR. GOULDING (Worcester): Is the right hon. Gentleman aware that great distress exists among aged agricultural labourers, who have lost their avocation by reason of the purchase, and are at the present time in want?

MR. HALDANE: The hon. Member appears to be a little mixed. The purchase has not yet been carried out.

MR. GOULDING: Will the right hon. Gentleman make inquiries as to whether the negotiations carried out by him on behalf of the War Office have not already led to the dismissal of a great number of aged agricultural labourers; and if so, whether, when awarding compensation, he will see that compensation is paid to them?

\*MR. SPEAKER: If the hon. Member will look at the Paper he will see that he is getting a very long way from the Question.

MR. AUSTEN CHAMBERLAIN: May I ask a further Question?

\*MR. SPEAKER: We have had eight supplementary Questions already.

#### **Territorial Artillery.**

CAPTAIN FABER (Hampshire, Andover): I beg to ask the Secretary of State for War whether he can state the actual number of guns already issued

for Territorial Artillery brigades compared with the number laid down.

MR. HALDANE: The total number of guns and howitzers required to equip the Territorial Artillery Brigades, is 728, of which 263 have been issued.

CAPTAIN FABER: When will the remainder be issued?

[The reply was inaudible.]

#### Oats for Army Horses.

\*CAPTAIN FABER: I beg to ask the Secretary of State for War if he can state whether oats are issued in the same year as they are grown to horses in the Army; and, if so, at what particular date.

MR. HALDANE: Oats can be issued in the same year as they are grown to horses in the Army, provided that they comply with the contract specification which governs the quality. No particular date for the issue of oats is specified.

\*CAPTAIN FABER: Is it not the fact that oats are not really fit to use before 1st January?

MR. HALDANE: That is a question for the Army Service Corps experts. They are better judges than I am.

\*CAPTAIN FABER: Will the right hon. Gentleman urge the contractors not to issue damp oats as I am assured they are doing?

[The reply was inaudible.]

#### Edinburgh Cavalry Barracks.

MR. C. E. PRICE (Edinburgh, Central): I beg to ask the Secretary of State for War whether the Heriot Trust of Edinburgh has agreed to sell the Redford estate for the purpose of erecting a cavalry barracks; and, if so, will he press forward the work with all possible speed in order to give employment to the large number of men in the building trade who are at present out of employment in Edinburgh.

MR. PIRIE (Aberdeen, N.): Before the right hon. Gentleman answers this Question, may I ask whether he will take into consideration the fact that this is

a national matter, and not a local one, merely fulfilling an obligation long 'overdue to Scotland and therefore will he distribute the work regardless of any local jealousies?

MR. HALDANE: In this case, as in the case of Salisbury Plain, I have received a storm of protests against the selection of the locality.

MR. PIRIE: I do not protest at all.

MR. HALDANE: I am glad to be able to inform my hon. friend that negotiations with the Heriot Trustees are proceeding satisfactorily. I can assure him that as soon as the purchase of the site is completed no time will be lost in setting to work; but as the hon. Member is aware, before building operations can be actually started plans have to be prepared, contracts have to be placed, and other similar arrangements have to be made. All this will take a certain amount of time, and I should not like to promise that the building can be begun before I am certain that these preparations have been thoroughly made, though preparation of the site, road-making, and such work may commence earlier.

#### Bengal Administration.

MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for India whether the Anglo-Indian Association of Calcutta has represented to the Government of Bengal that the separation of judicial and executive functions seems likely not only to be unpopular amongst the great masses who have never demanded it, but also to be fraught with great harm; and, if so, whether this representation will be duly considered before the present experiment is extended.

THE UNDER-SECRETARY OF STATE FOR INDIA (MR. BUCHANAN, Perthshire, E.): The Secretary of State has no information as to the representation in question, but the Government of India will no doubt give it due consideration in formulating their proposals. No effect has yet been given to the experimental scheme to which I understand the hon. Member to refer.

### **Punjab Education Department.**

**DR. RUTHERFORD** (Middlesex, Brentford): I beg to ask the Under-Secretary of State for India whether he is aware that several Europeans and Eurasians have been taken into the provincial branch of the Punjab Education Department within the last year, and that they have been placed over the heads of a number of Indians in the matter of pay and seniority to the detriment of the prospects of the latter; did these Indian gentlemen protest against such treatment; and, if so, with what result.

**MR. BUCHANAN**: No record of any such appointments can be found in the official lists received up to the present time. But if the hon. Member can quote specific cases, the Secretary of State will inquire.

**MR. REES**: Is it not the fact that the natives of India do not believe in our system of education and are very bad agents for carrying it out?

**MR. BUCHANAN**: I do not see how that arises out of the Question. The provincial branch is a branch of the service set apart for natives.

### **Europeans in the Punjab Municipal Service.**

**DR. RUTHERFORD**: I beg to ask the Under-Secretary of State for India whether the Secretary of State is aware that the number of Europeans in the Punjab municipalities' service has increased within the last ten years; that out of five appointments carrying salaries of over £15 per month in the municipality of Lahore not one is held by an Indian, and that out of twelve appointments with salaries of £8 a month only two are held by Indians; and whether this state of things has the approval of the Secretary of State for India.

**MR. BUCHANAN**: Municipal Committees in the Punjab under the Punjab Municipalities Act of 1891 appoint their own servants, and the Secretary of State has no detailed information as to the numbers, rates of pay, or nationalities of such employees. The Lahore Municipal Committee is composed of twenty Indians

and ten Europeans. On the committees of other municipalities the Indian element is still more predominant. The Secretary of State does not feel called upon to express an opinion on the mode in which the committees exercise their powers.

### **Sirhind Canal—Water Rates.**

**SIR H. COTTON** (Nottingham, E.): I beg to ask the Under-Secretary of State for India when the water rates were last raised on the Sirhind Canal in the Punjab; what the rates were before the enhancement and what they are now, and especially whether the rate for sugar cane was enhanced by 100 per cent.; and whether the area of sugar cane cultivation has since decreased on the land irrigated by that canal.

**MR. BUCHANAN**: The present rates came into force in 1905. It is difficult to compare them in detail with the rates previously in force, as the schedule is a lengthy one, and the two sets of rates were not framed on the same system. but the general effect was an increase of about 20 per cent. on the yield of the old rates. The old rate for sugar cane was 7 rupees, 8 annas, or 10s. the acre; the present rate is 10 rupees, or 13s. 4d. the acre in one zone, and 12 rupees, or 16s. in the other zone; the percentage of increase being 33 in the one case and 60 in the other. There has been some decrease in the sugar cane area on this canal since 1901-2, but in the Punjab generally the area under this crop has of late years decreased. The cane crop on the Sirhind Canal is relatively small to the total irrigated area.

### **Trinidad--Indentured Coolie Labour.**

**MR. SUMMERBELL** (Sunderland): I beg to ask the Under-Secretary of State for the Colonies if he is aware that the cost of introducing indentured coolies into Trinidad is about £27 per head; that towards such cost the employers requiring such labour only contribute about £5 per head, the remainder being made up by a contribution from general revenue of £9 and by an export tax on produce of £13; and, if so, whether he is prepared to take steps having for its object the placing of the entire charge for introducing such coolies on the employers who require such labour.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): As my hon. friend was informed in reply to a similar Question on 27th March, 1907, the cost of importing indentured immigrants varies. In the last completed financial year it was between £27 and £28 per head. The sources from which this amount is made up are as stated in the Question. So far as we are aware the balance of opinion in the island seems to incline to a continuance of the present system, but the Secretary of State is prepared to address further inquiries on this subject to the Officer administering the Government.

#### **Newfoundland Fisheries Settlement.**

\*SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean): I beg to ask the Under-Secretary of State for the Colonies whether Papers can be presented showing the present attitude of the Government of Newfoundland towards the recently concluded *modus vivendi* in the fishery question with the United States.

COLONEL SEELY: There are no Papers which can conveniently be laid at present, but I am glad to inform my right hon. friend that the Government of Newfoundland have expressed much gratification at the conclusion of the *modus vivendi*, and the revocation of the Order in Council of 9th September, 1907, which the acceptance of the *modus vivendi* by that Government has rendered possible.

#### **British Indians in British Columbia.**

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Under-Secretary of State for the Colonies whether he has any information as to the intentions of the Dominion Government with regard to British Indians in British Columbia.

COLONEL SEELY: Proposals have been made for sending some of the East Indians now in British Columbia as free labourers to British Honduras, and it appears from Press telegrams that the Dominion Government are taking steps in this direction by sending two Indians to British Honduras to inquire into the practicability of the scheme.

In answer to a supplementary Question by Mr. Mitchell-Thomson—

COLONEL SEELY said he was awaiting a Report on the scheme, and some little time would elapse before that could be received.

#### **Telegraphic Communication with Demerara and Trinidad.**

MR. MITCHELL-THOMSON: I beg to ask the Under-Secretary of State for the Colonies what progress has been made with regard to the improvement of telegraphic communication to Demerara and Trinidad.

COLONEL SEELY: Considerable progress has been made in the negotiations since I replied to the hon. Member's last question on this subject in July last, in fact I may say that they have been practically completed. The question of a site in Trinidad has, however, still to be settled by the local Government, some difficulty having arisen through the possibility that the new service may interfere with the existing service to Tobago. The Secretary of State in writing to Trinidad has expressed the hope that every effort will be made to establish direct communication with British Guiana by means of wireless telegraphy at an early date.

MR. MITCHELL-THOMSON: Can the hon. Gentleman say what is the rate for cable communication to British Guiana?

COLONEL SEELY said he would get the information for the hon. Member.

#### **The All-Red Route.**

MR. MITCHELL-THOMSON: I beg to ask the Under-Secretary of State for the Colonies what is the present position with regard to the All-Red Route proposals.

COLONEL SEELY: No Report has yet been made by the Committee on the All-Red Route. The Committee are considering an Interim Report, but will be unable to report finally until certain further information has been obtained from the self-governing Dominions.



**EARL WINTERTON** (Sussex, Horsham): Can the hon. Gentleman give any indication when the Report is likely to be received? Will it be before Christmas?

**COLONEL SEELY**: I am afraid I cannot say at present.

#### **Newfoundland Fisheries Dispute.**

**\*SIR CHARLES W. DILKE** (Gloucestershire, Forest of Dean): I beg to ask the Secretary of State for Foreign Affairs whether he can give the House any information concerning the recent conclusion with the United States of a *modus vivendi* with regard to the Newfoundland fishery; and whether Papers can be presented showing the form in which the question is submitted to the Hague Tribunal.

**THE SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir Edward Grey, Northumberland, Berwick): Full information with regard to the nature and effect of the *modus vivendi* was given in a statement communicated to the Press on 14th August last, to which I do not think that I can usefully add anything. With regard to the second portion of the Question, I would state that the terms of reference to arbitration of the fishery questions at issue are still under discussion, and it would, therefore, be premature to lay any Papers on the subject.

#### **Macedonian Gendarmerie.**

**MR. PONSONBY** (Stirling Burghs): I beg to ask the Secretary of State for Foreign Affairs whether any suggestion has been made for the reduction of the British officers attached to the Macedonian Gendarmerie; and, if so, whether he will take into consideration the importance of maintaining the whole staff of British officers whose services are still cordially welcomed by the Turkish Government.

**SIR EDWARD GREY**: The Turkish Government have been asked by the Powers whether they wish for the withdrawal of the foreign officers attached to the Macedonian Gendarmerie. No answer has yet been received. There is no intention of reducing any officers

whose services the Turkish Government desire to retain.

**MR. LYNCH** (Yorkshire, W.R., Ripon): May I ask what course it has been decided to take with regard to the financial position?

**SIR EDWARD GREY**: I see nothing about that in the Question on the Paper.

**\*MR. SPEAKER**: The hon. Member should give notice of it.

#### **Tong-Shan Engineering College.**

**MR. MITCHELL-THOMSON**: I beg to ask the Secretary of State for Foreign Affairs whether he has any information as to the dismissal of the English principal of the Tong-shan Engineering College without previous reference to the engineer-in-chief of the Northern Railways; and whether, seeing that the college is maintained from the earnings of a railway mortgaged to British bondholders, he will make inquiry as to the circumstances.

**SIR EDWARD GREY**: The facts of the case are as follows:—The principal of the college was engaged in 1905. By the terms of his engagement, three months' notice was to be given by either side to terminate it. About a month ago the principal received notice under this clause. His Majesty's Minister at Peking has been asked to intervene on the principal's behalf on the ground that six months' notice is usual, and Sir John Jordan has appealed to the Director-General of Railways in regard to the case. The matter is still under consideration.

#### **British Employees on Chinese Northern Railways.**

**MR. MITCHELL-THOMSON**: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the number of dismissals of British employees from the Chinese Northern Railways; whether Article 6 of the Loan Contract of 10th October, 1908, expressly restricted the right of dismissal to cases of incompetency and misconduct; and what steps His Majesty's Government propose to take, in view



of the British financial interests involved in the railways, to prevent the persistent violation of this article.

**SIR EDWARD GREY :** I am informed that two traffic inspectors on the railway have received notices of dismissal, and Mr. Kinder, the Engineer-in-Chief, has protested to the Director against the step; but no official information has reached His Majesty's Minister in China either from Mr. Kinder or from the British and Chinese Corporation as agents of the bondholders. Sir John Jordan is, however, inquiring into the matter, and as to the bearing of Article 6 of the Loan Contract of 10th October, 1898, on these cases. The article in question provides that the principal members of the railway staff may, in the event of their misconduct or incompetency, be dismissed after consultation with the Chief Engineer.

#### **The Dardanelles.**

**MR. LYNCH :** I beg to ask the Secretary of State for Foreign Affairs whether, in the event of an agreement being reached between the Governments of Russia and Turkey for the passage of Russian warships from the Black Sea into the Mediterranean, His Majesty's Government will make it a condition of their assent to such an arrangement that our warships shall have similar rights of passage into the Black Sea; and whether, in the recent discussions that have taken place between His Majesty's Government and that of Russia, the Russian Government have been informed in this sense.

**SIR EDWARD GREY :** The question of the Straits is not included in any suggested programme for the Conference and it would in my opinion add to the difficulties of the situation if the discussion of subjects outside those with which we have immediately to deal were insisted upon. The hon. Member may rest assured that in any discussion about the opening of the Straits His Majesty's Government will see that British interests are not injuriously affected.

**MR. LYNCH :** Arising out of that answer, may I ask whether it is a fact that His Majesty's Government expressed the view that this is a matter which can be settled between Turkey and Russia;

and that the Turkish Government demurred to that?

**SIR EDWARD GREY :** I do not desire to promote any discussion of the question of the Straits at this moment, when there are so many other things under discussion. I must decline to answer these questions piecemeal.

#### **Old-Age Pensions.**

**\*CAPTAIN FABER :** I beg to ask Mr. Chancellor of the Exchequer if he will state whether a man of over seventy years of age, having £800 stock in Consols producing an income of £20 a year, is eligible as an old-age pensioner for 5s. a week; and whether a man in receipt of a compassionate allowance of 13s. a week, which he has received for a year, is not eligible for any old-age pension whatever.

**THE CHANCELLOR OF THE EXCHEQUER (MR. LLOYD-GEORGE, Carnarvon Boroughs) :** On the assumption that the claimant has no other means, the Answer to the first Question is in the affirmative. The Answer to the second would, under the provisions of Section 4 of the Old-Age Pensions Act, depend upon whether there was, or was not, a reasonable expectation that the claimant would continue to receive the allowance during the succeeding year.

**\*CAPTAIN FABER :** Cannot the right hon. Gentleman see his way to put a man who has been working all his life on an equal footing with those who happen to possess £800 worth of Consols?

**MR. LLOYD-GEORGE :** That is a very conjectural case, and one that is unlikely to happen.

**CAPTAIN FABER :** May I have an Answer to my Question?

[No Answer was returned.]

**MR. STAVELEY-HILL (Staffordshire, Kingswinford) :** I beg to ask the Chancellor of the Exchequer whether the receipt of sick pay by a member of a friendly society will be taken into account in considering the income of

the person under the Old-Age Pensions Act.

**MR. LLOYD-GEORGE:** The matter is one for the pension committee to determine in accordance with the provisions of Section 4 (1) (a) of the Act upon the facts of each case.

**MR. STAVELEY-HILL:** Will instructions be given to the pension committees on this point?

**MR. LLOYD-GEORGE:** I must ask for notice of that.

**MR. STAVELEY-HILL:** Will the right hon. Gentleman consider the desirability of obtaining a decision at once on this very important matter?

**MR. LLOYD-GEORGE:** Each case will be decided by the pension committee as it arises on the facts.

**MR. STAVELEY-HILL:** I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to the conflicting instructions issued by the Local Government Board and the Commissioners of Inland Revenue with reference to the areas of the sub-committees and the districts of pension officers under the Old-Age Pensions Act; and whether he proposes to take any steps to bring these instructions into agreement with one another.

**MR. LLOYD-GEORGE:** I am not aware of any conflict. The administrative arrangements which have been adopted do not require that the areas served by pension officers should be co-terminous with those served by the pension committees, nor is it intended that this should invariably—or even usually—be the case.

**MR. WALTER LONG:** I beg to ask Mr. Chancellor of the Exchequer whether, having regard to the fact that under No. 35 of the Old-Age Pensions Regulations, 1908, a great deal of information will be required from boards of guardians and their officers as to whether relief has been given to applicants for old-age pensions, and also as to the mode of life of many

such applicants, he will arrange that provision be made for payment for such information from the national Exchequer, as the Local Government Board have stated in a circular letter, addressed to boards of guardians, and dated 10th October, 1908, that it is understood that the pensions officers have no funds out of which such payments can be made.

**MR. LLOYD-GEORGE:** I am not prepared to propose a grant from the Exchequer for this purpose. In view of the enormous saving which will ultimately accrue to local rates from the diminution in the charge for poor relief to be expected from the inauguration of the pension scheme, I think it will be generally conceded that the ratepayer may reasonably be asked to bear the slight expenses incidental to supplying the information required.

**LORD R. CECIL (Marylebone, E.)** asked whether the effect of that arrangement would not be that while the pension officer was a representative of the Treasury he would receive payment from the ratepayers?

**MR. LLOYD-GEORGE:** I do not think so.

**LORD R. CECIL:** I beg to ask Mr. Chancellor of the Exchequer whether it is intended to issue instructions to the pension officers directing them in reporting on the means of a claimant for an old-age pension not to take into consideration the fact that he occupies a cottage at a rent less than the full rack rent; and, if not, will he explain why.

**MR. LLOYD-GEORGE:** Pension officers have been instructed in calculating the means of a claimant to take into account, as provided in the Act, the yearly value of any benefit or privilege enjoyed by him. In regard to questions of rent such as that referred to by the noble Lord, the circumstances of the different cases are likely to be so widely divergent that it would not be practical to issue more specific instructions.

**LORD R. CECIL:** Have any specific instructions been given to the pension

officers with regard to the valuation of rent?

MR. LLOYD-GEORGE: I do not think there are any specific instructions bearing on that point.

MR. HAROLD COX (Preston): I beg to ask Mr. Chancellor of the Exchequer whether the Board of Inland Revenue has instructed the pension officers to take into account, in estimating the income of claimants, the value of free board, lodging, or clothing; whether the execution of this instruction will involve meticulous inquiries into the precise value of ordinary articles of food and clothing; and, if so, whether he proposes to direct the Board of Inland Revenue to issue a fresh set of secret instructions to pension officers to ignore food and clothing of less value than the equivalent of a capital sum of £30, so that poor people may not be deprived of their pensions by the meticulous inquiries of pension officers.

MR. LLOYD-GEORGE: The Answer to the first Question is in the affirmative; that to the second in the negative; the third does not arise.

MR. HAROLD COX: Do I understand the right hon. Gentleman to say that it is the duty of the pension officers to take into account the value of board and lodging, but that it is not their duty to make any inquiry as to the value?

MR. LLOYD-GEORGE: That is certainly not what I said.

MR. HAROLD COX: I think it is.

MR. HAROLD COX: I beg to ask Mr. Chancellor of the Exchequer whether the general powers which a public department possesses to direct its own affairs would enable the Board of Inland Revenue to issue instructions to pension officers to report against the claim of any persons who were deemed by that Board to be unfit for pensions; and what means a pension committee has of compelling a pension officer to report in accordance with the terms of the Act instead of in obedience to the orders of the department.

MR. LLOYD-GEORGE: I presume that it would be within the power of the Board of Inland Revenue to issue such instructions to pension officers, but I would remind my hon. friend that the Board would be responsible for any action taken by their officers in accordance with their instructions, for which I, in my turn, should be answerable to Parliament. The pension officer has, under Section 7 (1) (b) of the Act and No. 11 (2) of the Regulations, a statutory duty "to procure any further information which it is in his power to procure in reference to any matter to be considered by the committee" if the committee require him to do so, and it would not be open to him to plead official instructions as an excuse for the neglect of that duty.

MR. HAROLD COX asked whether the pension committee could dismiss the officer if he disobeyed the law.

MR. LLOYD-GEORGE said that statutory obligations were imposed upon him, and the officer was responsible to the Minister for refusing to carry out the law, while Parliament could call the Minister to account.

MR. HAROLD COX: That is just what I should like to do.

LORD R. CECIL: How is the House to make the Minister responsible unless the instructions are laid upon the Table of the House?

MR. LLOYD-GEORGE: The Question can be raised on the Minister's salary.

\*MR. FERBERT (Buckinghamshire, Wycombe): I beg to ask Mr. Chancellor of the Exchequer whether he has caused any estimate to be made of the additional cost of old-age pensions due to the exclusion from calculation of the means of applicants of furniture up to £30, in accordance with the departmental instructions to pension officers, above what would have been the cost as sanctioned by Parliament under Section 4 of the Old-Age Pensions Act, which requires all furniture to be taken into account in calculating the means of applicants.

**MR. LLOYD-GEORGE:** I have no statistics of the value of furniture possessed by claimants to old-age pensions, and the original estimates of the scheme were based on the assumption that any property of this character, of which account would be taken in calculating the means of an applicant, would be so small in amount as not to affect appreciably the cost of the scheme.

**\*MR. HERBERT:** I beg to ask Mr. Chancellor of the Exchequer whether he will issue instructions to pension officers to keep a record showing the number of persons who become eligible for old-age pensions by virtue of the exclusion from the calculation of their means of furniture under £30 in value who would not have been qualified if all furniture had been taken into account in accordance with Section 4 of the Old-Age Pensions Act, the number of persons who receive pensions at a higher rate, and the total additional cost.

**MR. LLOYD-GEORGE:** No, Sir. The cost of making the detailed valuations, which would be necessary in the case of every claimant, for compiling such a record, would be considerable, and I should not feel justified in asking Parliament to vote money for the purpose.

**\*MR. FERBERT:** Will not the pension officers be obliged to make that valuation in any event? If they are to carry out the instructions and disregard the first £30 worth of furniture, and reckon the balance, how can they do that without making a valuation?

#### Income-Tax.

**VISCOUNT CASTLEREAGH** (Maidstone): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that unnecessary hardship is imposed on tradesmen by the enforcement of the production of a balance sheet for the purpose of assessing their incomes for income-tax; and whether he can see his way to limit the demands of the Commissioners in such cases to the production of a profit and loss account.

**MR. LLOYD-GEORGE:** I may perhaps be allowed to refer the noble Lord to a very full reply which I gave on this point on 19th May last in answer to a Question by my hon. friend the Member for Ashton-under-Lyne. I do not think that I can usefully add anything to that reply, except to say that I have no power over district Commissioners.

**MR. RENWICK** (Newcastle-on-Tyne): Is it not the fact that the Commissioner and surveyors have no legal power to demand a balance sheet?

**MR. LLOYD-GEORGE:** I think that the hon. Member had better refer to the full and elaborate answer I previously gave entering into the whole of this question.

**MR. RENWICK:** Cannot the right hon. Gentleman give me an answer now? It is a very simple question.

**MR. LLOYD-GEORGE:** The Answer is that I have given the answer already. I cannot traverse the whole ground again.

**MR. RENWICK:** I believe that the Commissioners are acting illegally.

**MR. MYER** (Lambeth, N.): Is the right hon. Gentleman not aware that the Commissioners have no power to ask for a balance sheet?

**MR. LLOYD-GEORGE:** I cannot accept the interpretation of the Act given by my hon. friend. I think that they have the power.

#### Administration of the Aliens Act.

**MR. FELL** (Great Yarmouth): I beg to ask the Secretary of State for the Home Department if four Russian Jews, who were recently refused permission to land at Hull because they were undesirable emigrants, and who were deported under the Aliens Act, returned in another ship that did not carry twenty emigrants, and were then allowed to land; and, if so, whether steps will be taken under the Act to prevent the relanding of aliens who were found to be undesirable a short while previously.



THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): It is the fact that recently four aliens, who had been refused leave to land at Hull, returned a few days later and landed from non-immigrant ships. The Aliens Act gives the immigration officers no power to prevent any alien passenger from landing from a non-immigrant ship. I regret to say that I have reason to believe that the landing of undesirable aliens from non-immigrant ships at Hull is carried on systematically; and the matter is engaging my attention.

Mr. FELL asked whether regulations could not be made which would prevent such an anomaly as a man described as an undesirable alien being refused one week and allowed to land the next.

Mr. GLADSTONE: Perhaps the hon. Gentleman will put that Question down.

Mr. LUPTON (Lincolnshire, Sleaford) asked when the right hon. Gentleman proposed to bring in a Bill to repeal the Aliens Act.

[No Answer was returned.]

#### **The Licensing Demonstration in Hyde Park.**

Mr. BOTTOMLEY (Hackney, S.): I beg to ask the Secretary of State for the Home Department whether he has received any Report from the Chief Commissioner of Police with respect to the demonstration in Hyde Park on Sunday, 27th September; and whether he will communicate the nature of that Report to the House.

Mr. GLADSTONE: I have not received any such Report.

Mr. BOTTOMLEY: Has the right hon. Gentleman any evidence in his Department justifying the recent declaration of the Secretary of State for the Colonies that the demonstration consisted of imported inebriates?

Mr. GLADSTONE: I am not aware that any such declaration was made. ["Oh."] I repeat I am not aware of any such declaration. I have answered the Question on the Paper.

Mr. BOTTOMLEY: I beg to ask the Secretary of State for the Home Department whether he will state the number of arrests for drunkenness in the Metropolitan area on Sunday, 27th September, and Sunday, 20th September, respectively.

Mr. GLADSTONE: The number of arrests for drunkenness in the Metropolitan Police District was as follows: On Sunday, 20th September, 144; on Sunday, 27th September, 165.

#### **Overcrowding on the Metropolitan Railway.**

Mr. WARDLE (Stockport): I beg to ask the President of the Board of Trade whether his attention has been drawn to the difficulties which passengers on the Metropolitan Railway whose journey necessitates changing at Baker Street Station between the hours of 8.30 a.m. and 9 a.m. have to experience in getting from one train to another; whether he is aware that the crowds of passengers have to pass through a narrow iron gate, which results in a scramble; whether he is aware that the trains at this time of the day provided to carry passengers to the City are few in number and of insufficient length, thereby causing overcrowding and inconvenience; and whether, in view of these facts, he proposes to take any, and, if so, what action.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): I have communicated with the railway company in the matter to which my hon. friend calls attention, and have received a reply of which I am forwarding him a copy.

Mr. REES: Is the right hon. Gentleman aware that people who travel by this route are astonished that the volume of traffic is so well handled in so exceedingly confined a space?

Mr. CHURCHILL: I will send the hon. Member also a copy of the Company's reply, which will give him an answer to his Question.

#### **Sewage Disposal.**

Mr. CLOUGH (Yorkshire, W.R., Skipton): I beg to ask the President of



the Local Government Board whether any further reports will be issued by the Royal Commission on the Treatment and Disposal of Sewage; and, if so, how many, and when does he expect to receive the final Report; and whether he proposes to introduce legislation for the regulation of trade effluents into public sewers before he receives the final Report of this Commission.

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. JOHN BURNS, Battersea): I understand that the Royal Commission propose to issue a Report in the course of the next three months on the disposal of distillery refuse, and that in their final Report they will deal with the disposal of other trade effluents when not mixed with sewage. The date of the issue of the final Report cannot at present be given, but I do not think it will be necessary to await it before proposing legislation on the subject referred to in the Question.

#### **Deaths from Starvation in London.**

**MR. SUMMERBELL:** I beg to ask the President of the Local Government Board if he will state the number of cases in the coroners' returns of starvation cases, respectively, connected with Shoreditch, Holborn, and the whole of London; whether he has taken any, and, if so, what steps to reduce the numbers in future; and whether he will suggest to the guardians of those unions that they should make it known to the poor that they are willing to give necessary relief, and especially medical relief, to the poor who need it, in accordance with 43 Eliz., c. 2, s. 1, and 4 & 5 Will. IV., c. 76, so that the poor may apply before they become totally destitute.

**MR. JOHN BURNS:** The latest return of the number of deaths upon which a coroner's jury returned a verdict of starvation or death, accelerated by privation, shows that in the year 1907 there were forty-six such cases in the whole of London, of which eight were connected with Shoreditch and seven with Holborn. There appears to be no reason to suppose that the poor are unaware of the facilities for obtaining medical or other relief. In many of the cases mentioned in the return

relief was applied for and given, but the application was made at too late a stage. I will give consideration to the matter, but it is difficult to see what effective action can be taken in respect of persons who are unwilling to apply for relief, and whose cases are in no way brought under the notice of the guardians or their officers.

#### **Civil Service Socialist Society.**

**MR. STAVELEY-HILL** (Staffordshire, Kingswinford): I beg to ask the Postmaster-General whether his attention has been called to a meeting of the Civil Service Socialist Society to be held on 20th October, to be presided over by Mr. S. F. Green, the prospective Socialist Parliamentary candidate for South Bristol, and to be addressed by Mr. H. M. Hyndman on the coming social revolution; whether the action of this political society has his approval; and whether he will allow the formation of other societies among Post Office servants having for their object the advancement of anti-Socialist principles.

**THE POSTMASTER-GENERAL** (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The hon. Member's Question has called my attention to the meeting to which he refers. Were the society an organisation within the Post Office, I should consider that its action in apparently inviting the public to attend the meeting constituted a breach of the Regulations. As, however, I understand the society is open to the whole Civil Service, and draws its Members from various Departments, I am communicating with the Treasury on the subject. As regards the last part of the Question there already exists among Post Office servants a society having among its specific objects the advancement of anti-Socialistic principles, and I have more than once stated I have no objection to the formation of other societies within the Post Office provided they observe the conditions laid down as regards the character of their activities.

#### **The National Telephone Company.**

**MR. LEVERTON HARRIS** (Tower Hamlets, Stepney): I beg to ask the Postmaster-General whether any employment has yet been found in the

Post Office service for men recently discharged by the National Telephone Company, owing to the stoppage of construction work due to the Government taking over the business of the Company; and what provision he proposes to make for finding work for men who are discharged in districts where there is no Post Office telephone system.

**MR. SYDNEY BUXTON:** As I stated yesterday, such discharges by the National Telephone Company as have recently taken place where they were not due to misconduct or incompetence, or to the termination of temporary employment or employment for certain special purposes, have been mainly caused by an exceptional falling off in orders obtained from the public consequent on the recent depression of business throughout the United Kingdom, and not by such a stoppage of the general construction work as is suggested in the Question. Employment has been found in the Post Office during the last six months for more than 100 of the men discharged, and I am anxious to do what I can in that direction; but the existing openings at my disposal are, of course, limited. As I have already stated, I desire to come to an arrangement with the Company whereby the general construction work of the telephone system can be steadily continued in the best way until the Company's undertaking is taken over by the Post Office.

\***MR. JAMES HOPE** (Sheffield, Central): Is not the right hon. Gentleman convinced by his own experience of the inexpediency of any attempt on the part of the State to resume the monopoly of traffic over which it has lost immediate control?

**MR. SYDNEY BUXTON:** On the contrary.

**MR. LUPTON:** Is not the present an opportune time for new construction inasmuch as work can be done at moderate rates? Is it not the fact also that agricultural districts would benefit largely by an extension of the telephone system?

**MR. SYDNEY BUXTON:** That is too large a subject to be dealt with in an answer to a Question across the floor of the House. I should be glad, however, to discuss it on a suitable occasion.

#### **Hyde Park Roads.**

**CAPTAIN FABER:** I beg to ask the President of the Local Government Board whether, looking at the state of unemployment now existing, he can recommend that the roadway from Princes Gate over the Serpentine to Bayswater Road be doubled so as to avoid the inconvenience for residents in Kensington having to go round by Park Lane to Paddington when the existing road across the park is shut.

**THE FIRST COMMISSIONER OF WORKS** (Mr. L. HARCOURT, Lancashire, Rossendale): I regret that I am unable to adopt the suggestion of the hon. Member. The existing road is a very wide one, and to double it would be to create an eyesore. It is only closed once a year, and then at the time of year least calculated to cause inconvenience.

**CAPTAIN FABER:** Will the right hon. Gentleman bear the suggestion in mind?

**MR. L. HARCOURT:** Certainly.

#### **Civil Servants and Territorial Camps.**

**MR. BRODIE** (Surrey, Reigate): I beg to ask the Secretary to the Treasury whether any circular has been issued by the Treasury to say that if additional leave is given to Government employees who are in the Territorial Army they must refund their Army pay to the Government, and that if they want additional leave they may be called on to provide a substitute and also refund their Army pay; and whether such, or a similar, circular was issued after camp was over this year, leaving no choice to the men.

**THE FINANCIAL SECRETARY TO THE TREASURY** (Mr. HOBHOUSE, Bristol, E.): Circulars were issued on 30th March and 6th June last before the annual camps were held pointing out to Civil Servants that if they choose to spend their ordinary leave in camp they may draw both civil and military pay during

the camp period; if they take special leave for the purpose, and no substitute is required to perform their work in their absence, a deduction will be made from their civil pay equivalent to the amount of their military pay, excluding allowances. The cost of a substitute when required falls on the civil servant whose duties he performs, and the latter is in this case allowed to retain both civil and military pay from which to meet the charge, but any excess over the total amount of the military and civil pay is borne by the State.

### **The Lews.**

**MR. YOUNGER** (Ayr Burghs): I beg to ask the Secretary for Scotland whether any change has yet taken place in the financial situation in the Lews; whether the local administration remains in a position of bankruptcy owing to non-payment of the greater part of the rates; and what he proposes doing to prevent the complete breakdown of that administration.

**THE SECRETARY FOR SCOTLAND** (Mr. SINCLAIR, Forfarshire): I have no reason to believe that any change has taken place in the financial situation in the Lews. The Local Government Board are in communication with the parish councils, and any representations will be considered as soon as they are received.

**MR YOUNGER**: If the rates continue unpaid how is it proposed to carry on the local administration?

**MR. SINCLAIR**: My Answer covers that Question.

### **The Royal Irish Constabulary.**

**MR. FETHERSTONHAUGH** (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any steps are to be taken during the present session to improve the pay and position of the Royal Irish Constabulary.

**THE CHIEF SECRETARY FOR IRELAND** (Mr. BIRRELL, Bristol, N.): I am anxious to proceed with the Constabulary (Ireland) Bill as soon as possible, and will take advantage of the first opportunity that may arise. The hon.

and learned Member is probably aware that the financial Resolution, which is a necessary preliminary to the introduction of the Bill, is at present before the House, and that the Committee on the subject has been deferred until Monday next.

**MR. MOORE** (Armagh, N.): Will the Bill include provision for the improvement of the position of the officers as well as of the men?

**MR. BIRRELL**: I would sooner not answer that Question, as it would involve entering into particulars.

### **Loughgeorge Outrage.**

**CAPTAIN CRAIG** (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on Wednesday, 30th September last, an attack was made on the residence of a widow, named Mrs. Greathead, situate at Loughgeorge, about eight miles from Galway Town, shots being fired through the windows; whether he can state if the direction of the shots indicated an intention to do bodily harm or merely to intimidate; whether he is aware that Mrs. Greathead has been persecuted for a long time because she will not give up the farm which is her only support; how many arrests, if any, have been made; and what sentences, if any, have been passed on the perpetrators of the outrage.

**MR. BIRRELL**: At eight o'clock on the evening of 30th September several gun-shots were fired through the windows of two rooms in Mrs. Greathead's house, one room being on the ground floor, and one on the first floor. The rooms were lighted up and the windows were unshuttered. Two members of the family were in each room but no one was hit. Many flattened grains of shot were found inside the windows. An empty cartridge case was found at forty yards distance from the house, and several gun-wads were found between that spot and the house. The shots therefore do not appear to have been fired at short range. It is the fact that Mrs. Greathead has been subjected to annoyance because she declines to give up a portion of her farm. All necessary protection is being

afforded to her. The police have not yet succeeded in obtaining sufficient evidence to justify any arrests in the case.

#### **Rinneen Outrage.**

**CAPTAIN CRAIG:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any arrests have been made in connection with the attack made on Michael Casey, a farmer living at Rinneen, near Ruan, about seven miles from Ennis, county Clare, in August last, when he was twice shot in the back of the head; whether he is aware that twenty-eight pellets were found in his head, shoulders, and back; whether it is the second time he has been the victim of firing outrages; what sentences have been passed in the case; to what reasons the police authorities attribute the outrages, and what steps they have taken to afford him protection in the future; and has Michael Casey quite recovered.

**MR. BIRRELL:** Michael Casey was fired at and injured in the manner described in the Question on 11th September last. He was also fired at on 14th July, 1907, but was not hit. No arrests have been made. As the offender has not been traced, I am unable to state the motive for the offence. The police are affording full protection to Casey, who has quite recovered from his injury.

#### **Firearms in Ireland.**

**CAPTAIN CRAIG:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any arrests have been made in connection with the attack made on three labouring men in the employment of Miss Godley, Kilrar, near Farrigallen, by Carrick-on-Shannon, in August last, when they were fired at when engaged in reaping oats, and one of their number, John Clay, was wounded by a bullet piercing his thigh; what sentences have been passed in the case; to what reasons the police authorities attribute the outrage, what steps they have taken to afford these men adequate protection in the future; and has John Clay quite recovered.

**MR. BIRRELL:** On 9th September last John Clay and two other labourers

were reaping for Miss Godley when a shot was fired in an adjoining wood and Clay was injured in the leg. No arrests have been made. The police are not aware of any possible motive for firing at Clay, as both he and his employer are popular in the locality. In the opinion of the police authorities there is no necessity for affording protection to the men. Clay is progressing favourably, but has not yet quite recovered.

**EARL WINTERTON (Sussex, Horsham):** What steps have been taken to discover who carry firearms in this district?

**MR. BIRRELL:** I do not know that any special steps have been taken.

**MR. MOORE (Antrim, N.):** Is it not the fact that since the Act has been repealed in twelve months outrages from firearms have increased by more than a third?

**MR. BIRRELL:** It is the fact.

**CAPTAIN CRAIG:** We warned the right hon. Gentleman.

**MR. MOORE** asked whether the increase was not directly due to the action of the Government in repealing the Arms Act.

**MR. BIRRELL:** No, Sir. During the most disturbed times in Ireland firearms were to be had and outrages were more frequent than now.

#### **Ministerial Salaries.**

**MR. STANLEY WILSON (Yorkshire, E.R., Holderness):** I beg to ask the Prime Minister if it is proposed during the autumn session to introduce a Bill dealing with the revision of Ministerial salaries.

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. Asquith, Fife, E.):** The Answer is in the negative.

**MR. ARTHUR LEE (Hampshire, Fareham):** Has the proposal to revise these salaries been abandoned?

[No reply was audible.]



**The Government and Home Rule.**

**VISCOUNT CASTLEREAGH:** I beg to ask the Prime Minister whether he will state the nature of the pledges that he has given to make Home Rule one of the living issues at the next general election, and whether he will give the House an opportunity of discussing his proposals.

**MR. ASQUITH:** The pledges which I have given on the subject on behalf of the Government are to be found in the debate this session on the Motion of the hon. Member for Waterford, and in answer to some later Questions. The whole matter was then fully discussed, and I see no reason for reopening it at this moment.

\***VISCOUNT CASTLEREAGH** asked whether the statement of Mr. Redmond at the Boston Conference that the right hon. Gentleman had given both public and private pledges that Home Rule would be one of the living issues at the next general election was correct.

**MR. ASQUITH:** I have given no private pledges. My pledges have been public, and are to be found recorded in *Hansard*.

**Bakers and the Eight Hours Bill.**

**MR. W. THORNE** (West Ham, S.): I beg to ask the Prime Minister whether he can see his way to give facilities for the passing of the Eight Hours Bill for bakers, in consequence of so many of them working eighty, ninety, and in some cases 100 hours per week.

**MR. ASQUITH:** I am afraid that this is not a Bill which comes under the category of strictly non-controversial measures, and I cannot therefore hold out hopes that the Government will be able to afford facilities.

**MR. REES:** Is the right hon. Gentleman aware that the bakers protest against this suggested interference, and that at least one hon. Member has been strictly informed by his constituency to block this Bill on all occasions?

**MR. ASQUITH:** I am afraid this is not a Bill for which the Government can hold out any hopes.

**Licensing Bill—Time Limit.**

**MR. ELLIS** (Nottinghamshire, Rushcliffe): I wish to ask the Prime Minister the Question—of which I have given him private notice—whether he is prepared to put the House in possession of the terms of the Amendment by which it is proposed to carry out the suggestion that for a short term of years succeeding the fourteen years the surrender of the monopoly value shall not be necessarily a condition of the renewal of an old licence.

**MR. ASQUITH:** Without pledging myself in this stage to any precise form of words the suggestion which I made would, I think, be given effect to by adding the following proviso to subsection 1, Clause 3: "Provided that until the expiration of seven years after the termination of the reduction period there shall be no power to attach as a condition to the regrant of an old licence any condition for securing to the public the monopoly value of the licence." A definition of "old licence" will have to be inserted defining the term to mean, as regards on-licences, existing licences within the meaning of the Act of 1904, i.e., licences existing before the passing of that Act, and as respects off-licences, licences existing before the passing of the Bill.

**POST OFFICE SITES BILL.**

Mr. Sydney Buxton, Mr. Crossley, and Mr. William Nicholson nominated Members of the Select Committee on the Post Office Sites Bill.—(*Mr. Joseph Pease.*)

**SELECTION (STANDING COMMITTEES).**

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had discharged the following Member from Standing Committee B. (in respect of the Housing, Town Planning, etc., Bill): Mr. Munro Ferguson; and had appointed in substitution (in respect of the said Bill): Mr. Charles Corbett.

Report to lie upon the Table.



## LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham), in the Chair.]

Clause 3:

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale) was about to propose the Amendment standing in his name, when—

MR. A. J. BALFOUR (City of London) said the Prime Minister had just told them the terms in which the Amendment which he foreshadowed would be ultimately couched. Could he not move it in this place?

MR. LEIF JONES (Westmoreland, Appleby) asked if they had not by the closure Resolution finished subsection (1) of Clause 3.

\*THE CHAIRMAN said that if the Amendment was a part of subsection (1) it was clear that they could not deal with it now.

MR. JAMES HOPE (Sheffield, Central) said that if the Resolution on the Paper was carried subsection (2) disappeared; would it not then be possible to move a new subsection (2) other than what was on the Paper?

MR. WALTER LONG (Dublin, S.) said the Motion on the Paper was to omit the existing subsection and substitute a new one. Was it not open to the Government to retain the Motion for the omission, and substitute for the new subsection the Amendment which the Prime Minister had read to them?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.) said he would be very glad indeed to do that, but it was impossible, because his Amendment was a proviso to subsection (1), and could not be introduced as a new subsection.

MR. L. HARCOURT said he would explain the object of the Amendment on the Paper. It was put down to fulfil a

promise made by the Prime Minister a few days ago that he would make two things which were the intention of the Government abundantly clear; first of all, that the local option provided under Clause 2 should continue under the extended circumstances after the reduction period of fourteen years had terminated, that it should extend to new and to old on-licences after the period of fourteen years, and also that where the local option was exercised after that period and under somewhat different circumstances a two-thirds majority of those voting would be necessary for the carrying of that Resolution. He was aware from the Notice Paper that there was some difference of opinion as to the particular fraction which should be adopted for such a majority, but the proposal of the Government showed that on this occasion at all events they had chosen the golden mean. He might be told by some of his hon. friends that three-fifths was a common figure in use in the United States of America and in many of our Colonies; he might even be told that where two-thirds was in use—he believed it was in Queensland—it had never been operative; but he would also ask whether three-fifths would be operative either; he thought it would probably be discovered that it would not. They had thought that it was reasonable that where what a certain number of people regarded as an inconvenience was to be inflicted on the locality it should be done by a sensible and a considerable majority of those who had taken the trouble to express their opinion on the subject. As to the reason for the selection of two-thirds instead of three-fifths, it was always difficult to explain why one fraction should be chosen rather than another, and perhaps it would be as good a reason as another to say that we were at present a duo-decimal rather than a decimal nation and that our people were more accustomed to think in thirds than in fifths; but he would point out to those who disapproved of the two-thirds majority that it was the provision that was maintained in the Liquor Traffic (Local Control) Bill of 1895, and a proposal which was at that time frankly accepted. The two-thirds majority had even appeared in some of the permissive Bill.

which were introduced into the House by the late Sir Wilfrid Lawson, although not in all of them. Therefore he could not believe that that figure was one which would be objected to by any large number of those who were concerned in the discussion of this question. He thought that for the sake of temperance itself they should aim at securing a large majority. As to subsection (b), it had been slightly enlarged or amplified in form from that in which it originally appeared on the Paper. It had been done in order to show that they anticipated in the future that power would be given by this House to localities not only to limit but to reduce the number of licences then in existence. The whole of subsection (b) was suggestive, and it was quite impossible to bind them either to a minimum or to a maximum. They had thought it right here to suggest what seemed to them two obvious and necessary developments of this policy at a future date, but it did not exclude other developments which might be added by Parliament fourteen years hence. His own opinion was that by that time the public view on this matter would have so developed, owing possibly to the success of this Bill in operation, that that public opinion would then carry with it its own amplification. As to subsection (c), that had been put down in order to make it clear that a resolution for the prohibition of the issue of new licences during the period of reduction, if it happened to be in operation at the close of that period of reduction, should not be taken then to mean a total prohibition of all the licences in existence. That would be an obvious injustice, because the vote would not have been taken on that question when it was carried, and it would have been carried, too, by a simple majority; but at the same time it was provided that if such a resolution had been put into effect less than three years before the termination of the reduction period, that Resolution should come to an end then and should not prevent the locality from taking a fresh vote under the different circumstances immediately the reduction period had come to a close. He hoped that these provisions had met the promises which were made by the Prime Minister, and

that this elucidation of the policy proposed would meet with a more or less general acceptance from the Committee.

#### Amendment proposed—

"In page 3, line 18, to leave out subsection (2), and to insert '(2) On the termination of the reduction period: (a) The foregoing provisions of this Act as to local option shall take effect as if a majority of two-thirds of the votes given were required for the carrying of a resolution instead of a bare majority; and (b) those provisions shall be extended in such manner as Parliament may determine so as to authorise a resolution limiting the number of licences to the number existing at the time, or reducing that number to any less number; and (c) a prohibitory resolution in force at the date of the termination of the reduction period shall cease to have effect, but the provision of this Act as to the interval required between the taking of polls shall not prevent a poll being taken on a further resolution, although three years have not elapsed since the date of the poll on the resolution which has so ceased to take effect.'"—(Mr. L. Harcourt.)

Question proposed, "That the words proposed to be left out to the word 'after' in line 18, stand part of the clause."

MR. A. J. BALFOUR said he did not propose at that moment to say anything upon the general principle of local option, to which he was unalterably opposed, but he had other observations to make which must be made in order that they might enter on the wider discussion with a freer hand and a more intimate knowledge as to what were the real intentions of the Government. The right hon. Gentleman began his statement by saying that the proposal with regard to a two-thirds majority had always been the intention of the Government, and that his Motion was intended to make that intention perfectly clear. It was a very extraordinary statement to make. They were quite prepared to give the Government a large licence in changing their minds, but it was too great a strain for their credulity to believe that the Government were quite clear that they always wanted this subject determined by a two-thirds majority, and that they happened to forget to give that information to the draughtsman. The truth was that they had found their own plan would not work, and they now found it necessary to alter

fundamentally, or at any rate in a very important particular, their original proposals. That was not the only point in this subsection on which the Government had entirely altered their original views. He must remind the Committee that this subsection gave local veto not merely in the question of on-licences but in the question of off-licences.

MR. L. HARCOURT: No.

MR. A. J. BALFOUR: Certainly. Will the right hon. Gentleman tell me quite clearly whether this applies to off-licences or not?

MR. L. HARCOURT said he was sorry he did not have an opportunity of explaining on Friday the intention of the words added to the Bill. Nobody regretted the absence of the possibility of explanation more than the Minister himself. If he had had that opportunity he would have explained what was the intention of the Government, and what had been the result of the Government's Amendment. The intention of that Amendment was merely to provide that the monopoly value, if any, of old off-licences after the reduction period should be secured. Under Clause 5 of the Bill the monopoly value of all new licences was taken, including off-licences. In taking the monopoly value in future of off-licences they were not taking any property which they had now got—nothing in the nature of an equitable expectation or a sacred right. It was clear that that view was held by the late Government, because in their Bill of 1904 they left the discretion of the justices as regards off-licences what it had always been. He believed it was universally admitted that off-licences had no monopoly value now, but it had perhaps only recently been realised that when this Bill became an Act, under the operation of Clauses 1, 2, and 3, it was quite possible that after the expiration of fourteen years they might create some monopoly value for off-licences which they did not now possess and to which they were not entitled. They had all suffered from the growth of accidental claims of that sort, and they thought it was desirable to take steps now to prevent such growth after the reduction period. Therefore the

*Mr. A. J. Balfour.*

intention of the words was merely to secure that if any monopoly value between now and then for off-licences came into operation it should be secured to the State, and that notice to that effect should be given now to the holders of off-licences so that no such expectation could arise. That was the intention, and he hoped the effect, of the Amendment.

MR. A. J. BALFOUR said the right hon. Gentleman had absolutely mistaken the point of his observations. He thought the question of monopoly value was irrelevant to this subsection, and the right hon. Gentleman was mistaken in supposing that he was clearing up a difficulty in regard to the monopoly value of off-licences, with which he was not attempting to deal. This point was of a different kind. As he read the language of subsection (1) of Clause 3, the Government extended to off-licences all the provisions applicable to the grant of new licences. One of those provisions was that after a certain period there should be local veto upon them, from which it seemed to him that the inference was absolutely clear that local veto was applicable to off-licences, or would be applicable to them after the reduction period. He was himself quite incapable of reading the words in any other sense, and unless the Government were prepared to get up now and contradict him on that point—

MR. L. HARCOURT: That was not and is not the intention of the Government, and I hope it is not the effect of the Amendment. If it is the effect of the Amendment which has been inserted it shall be altered on Report.

MR. A. J. BALFOUR said the right hon. Gentleman seemed to think he had put a strained and paradoxical interpretation on the language of the Bill as amended. Might he interject the remark that the Opposition had never interfered with the Government in the framing of their Amendment; they were never allowed the opportunity of discussing it. The Government and their draftsmen had been given ample time for considering how to draft their Amendment, being protected from inconvenient criticism after they had drafted it. They then came

to the House of Commons and told them two things. In the first place, they said, it carried out the original intention of the Government, though quite obviously it should not. Secondly, the meaning of the Amendment, as far as he could see from its words, and which every single Gentleman with whom he had talked had always held that they carried with them, was that local veto was to be applied to off-licences as well as to on-licences, which he should have thought the Government, in strict logic, would have thought to be the proper course. When he was told that this interpretation of their words burst upon the Government with surprise, that they had never agreed to that policy, and that they were going to correct it on Report, he was really filled with amazement. He was always aware, partly from his own painful experience and partly from his observation of the painful experience of other people, that when there was a small interval given between the arduous work of Parliamentary sessions the Government did not do its work as well as it would have been done if a longer time had been at their disposal. He was bound to say that never was there clearer proof that the Government was utterly overworked and incapable of considering the words of the Bill which they were driving through the House than that which was presented to them that day by the right hon. Gentleman in charge of the Amendment. In the plain meaning of the words, as interpreted by the right hon. Gentleman's own friends, by hon. Gentlemen opposite as well as by the Opposition, the principle of local veto was to be extended not merely to on-licences, but to off-licences. So clear was the Prime Minister that there could be no mistake as to the effect of the Amendment, that when he suggested that a little more time should be given to the House for discussion, the right hon. Gentleman told them that they had not voted against it, that, therefore, it was clear they had all agreed to it, and that at all events they were precluded from asking the Government to grant an opportunity for discussion. Yet the very first five minutes of this discussion had been the means of

pretation of their own policy which no human being who read their Amendment had ever thought it was capable of. However, the right hon. Gentleman now told them that the plain intention of the Government, as it had always been, was that there should be a two-thirds majority after the period of reduction, that off-licences should not be included in the local veto scheme, and that he meant to put down an Amendment making that patent and effective on the Report stage. He would only be wasting time if he were to discuss the very important and interesting question which would be raised if the Government's clause really carried out the Government's policy. But as it did not carry out the Government's policy, and as they were going to re-think their new thoughts, he withheld until the Report stage any criticism upon that subject. Without trespassing upon the broad issue raised by the principle of local veto, he would ask the right hon. Gentleman a question with regard to subsection (b) of the proposed new clause—

“Those provisions shall be extended in such manner as Parliament may determine so as to authorise a resolution, etc.”

Had the right hon. Gentleman, or those under whose advice he acted, any precedent for a subsection which contained terms so amazing as those which he had placed upon the Paper? The terms were mandatory to the Parliament of fourteen years hence to carry out the object which this Government wanted carried out, but the machinery for the carrying out of which they were too idle to devise. Parliament fourteen years hence “shall do something”; it might choose its own method of doing it, but this Parliament said it “shall be done.” This Parliament ordered them to do it, and they were to find the means of doing it. Was there any precedent in any Act of Parliament for this kind of direction? Some future Parliament was to deal with this very complicated and difficult question which they, who were the authors of this mandatory provision, had not themselves thought of doing. [AN HON. MEMBER: The Water Board.] It was a private Bill to which the hon. Gentleman referred, but he could not



imagine their dealing with a great question of public policy by such means as were provided by subsection (b), in which the policy was laid down, while the mode of carrying it out was not prescribed. He did not know how many general elections there might be between the present moment and the fateful period when the fourteen years elapsed. [Cries of "Two" and "Three."] There were to be two general elections according to the prophetic instinct of the Solicitor-General, and the second Parliament elected was ordered by the right hon. Gentleman and his friends to carry out their present object, and to devote its best abilities to find out the means. The future Parliament would be allowed to settle its own methods, but not its own policy. He really thought that this subsection was one of those illusory pretences or illusory contributions to the temperance literature which carried with it no effect, which might have some effect on the consciences of hon. Gentlemen who were deeply interested in this particular form of dealing with the problem, but which ought not to be allowed to appear with the authority of the responsible Government upon the Statute-book of the country. They had no right whatever to tell some future Parliament that it was to do something whether it liked it or not, and that it was hoped they would find a convenient and expedient method of doing it. Subsection (b) certainly ought to be excised, and he would only say, in this part of the debate, that even in the short discussion which they had had, it was perfectly clear that the Government had never known their own minds, and they had not been able, with all the advantages they had, to draft their Bill so as to carry out what they now said was their original intention; and when they put a new Amendment on the Paper it appeared to carry with it effects which, however pleasing to hon. Gentlemen behind them, never were part, they were given to understand, of the original scheme of the Government. If the objection to local veto and local prohibition could be strengthened by the mode in which the Government tried to put it into force, then it would certainly be greatly strengthened by

this extraordinary proceeding, a proceeding which would have been amazing in any circumstances, and which was little short of a Parliamentary scandal from the way in which it was carried out under the regulations for discussion.

\*MR. WHITEHEAD (Essex, S.E.) said he wanted to make an appeal to the right hon. Gentleman not to press this Amendment, but either to withdraw the clause or go back to the former clause as embodied in the Bill and as fully considered by the Government themselves. That clause involved leaving in the hands of future Parliaments the duty of working out all the details of a very complicated question. There were two or three considerations which made the former clause more expedient and more worthy the acceptance of the House. In the first place, there was no adequate time for the discussion of this very important question. The time-table under which they were acting was fixed under very different conditions from those now existing, because the Government Amendment opened up a new discussion. Secondly, there was no need to legislate hurriedly to-day on an issue which concerned only the future after the lapse of fourteen years. But another reason which weighed with him with equal if not greater force was that he regarded the Amendment of the Government as an absolute stab in the back for the future of temperance reform. He believed that local veto, saddled with the two conditions of absolute local prohibition and of a two-thirds majority, would be fatal to any future ratepayers exercising the popular veto. That was a very grave consideration, and those of them who were ardent supporters of the Bill, and who were anxious to see not only a diminution of licences in the next few years, but a steady and continuous reduction in the years to come afterwards, could not help regarding such a clause as that now proposed as one seriously affecting the interests of temperance reform. There was one assumption underlying the clause which affected the whole principle of local option and local veto, namely, that it was a purely local question. It never was a purely local question. If they went back to the remotest times of licensing

*Mr. A. J. Balfour.*



there was always a wayfarer or traveller—a man whose business called him from home and who might legitimately expect to have facilities for refreshment in whatever part of the country to which his business might call him. If that was true a hundred years ago, or fifty years ago, it was increasingly true to-day. The whole conditions of modern life were such that the work which men had to do lay far from their homes; and as facilities for locomotion increased, licensing became less and less a purely local question. It was very largely a local question, but not a purely local question, any more than the use of our roads was a purely local question. Roads were maintained at the expense of the localities, but it would be an extraordinary proposition to say that therefore they were not to be free to the public at large. The conditions which rendered the licensing question less a purely local one were increasing in their effect day by day. To take a single illustration of the anomalies that would arise if they had regard solely to local considerations: in the City of London there was an electorate of about 30,000 people, and a population who came there during the day time of, perhaps, something like 1,000,000. He was quite aware that the City would not form a single licensing area under the Bill. But it would suffice to take it as a type and illustration. Yet, as he understood, if the doctrine of local option pure and simple were applied, this 30,000, or it might be a residuum representing so many thousand caretakers and charwomen, would decide absolutely whether a large body of men coming from all parts, and residing at Brighton, Sevenoaks or Southend, should carry on their business under conditions to which they were accustomed, and which were almost necessary to the performance of their work. Therefore, it was not a purely local question, but he felt very strongly indeed that the local view was of very great importance, and in any reform of the licensing system the local view ought to be given full effect to. But when he said the local view he did not mean merely the view of any majority or any minority. As he understood the Government Amendment, if they had 100 electors, and 65 of them were in favour of a prohibition of licences and 35 were against, the view of

those 35 would be absolute and binding on the whole community. That was a *reductio ad absurdum* of the doctrine of popular control. He did not believe in these days that any minority or any majority either in a matter of this kind had any moral right to trample down the views of other people. He believed any sane system would allow due regard to be given to the views of all. Surely his hon. friends who were Nonconformists could not fail to remember how deep-seated had been the feeling throughout the community at the action taken by the Church of England Party with regard to the education question when they were the dominating power in that House. There was the grievance which the Nonconformists felt because their view, whilst they were in a minority, was unduly disregarded in the settlement of that question. In the same way fair treatment of minorities should be accorded in the settlement of the licensing question, as in the settlement of any other question which deeply stirred the interests, the opinions and habits of a large body of the people. He spoke as one most anxious for the carrying into effect of the Bill, and most anxious to support the Government in the immediate but also the future reduction of licences. If it was left in the Bill in the form in which it was proposed by this Amendment they would have a system which, so far as it went, was complete. That was to say they would have a system of local veto with merely two conditions attached to it. If Parliament hereafter added other conditions well and good, but they knew very well that Parliamentary time was constantly taken up by new questions arising, and as there would be no absolute necessity thrown upon the future Parliament to legislate on the matter it might well be that the conditions imposed in this Bill and by the Government Amendment would not merely become law for the next few years, but would remain law for a long period either because they were in the view of the dominant Party of the day sufficient for the purpose, or because there were other questions which Parliament thought more urgent, and felt called upon to deal with. In this matter where they were creating an instrument which was to carry out certain work

they must consider the material of which that instrument was going to be made. The instrument in this case was made of the elector—the average man of the country. They must bear in mind who and what the average elector was. They would never get a majority of two-thirds unless they carried with them the moderate man, the man who was neither a publican nor a drunkard, nor one who believed that every form of alcohol was an injury to the system, and to the State. The moderate man had after all merely the instincts of an Englishman. He, as a rule, was not a deep political thinker, but the fundamental instinct, perhaps the guiding principle of English political life was the love of liberty, and that applied, not only to themselves, in so far as they disliked to be interfered with and liked to lead their lives according to their own views, but it affected also the attitude they took towards public questions. Especially did it affect those who belonged to the Liberal Party and believed this love of freedom was peculiarly in their own charge. He believed the average elector, if the issue were put to him: Shall I vote in favour of depriving my neighbour of all right to that form of refreshment which he is accustomed to, and thinks necessary for his system—would say: “No, I have no moral right to deprive him of it absolutely,” and the result would be that local option would not in effect have any operation on an extensive scale. That being so, any system of local veto must be one which came into force gradually, and allowed for a reasonable reduction in accordance with the views of the locality. He hoped the Government would see their way to accept at a later stage some Amendments he had on the Paper to effect that purpose. He desired to see a gradual and steady reduction of licences not only to-day but also in years to come, and he wished to have fair consideration of the needs of the travelling public, and those who carried on their life's work away from their homes. He desired to see reasonable treatment of the minority as well as the majority, and he believed he was speaking in the true interests of the Bill and of temperance reform when he asked the Government not to insist upon imposing these two terms only in formulating a

*Mr. Whitehead.*

scheme of local option, but to leave the whole matter to be carefully sifted at some future date by a Parliament which would have time to deal with the whole question. He made this appeal to the Government of which he was a faithful supporter, in no spirit of hostility to the Bill or to giving effect to local wishes, but with a sincere desire to see the work to which the Government had put their hand carried to a successful conclusion, and that it might really prove beneficial to the State.

EARL WINTERTON (Sussex, Horsham) said he quite agreed with a good deal of what the hon. Gentleman had said. It would be quite impossible to make local veto or prohibition as contained in this clause anything but unjust and hard upon a large number of people. The Government might have failed to express their intentions, but at any rate, they had succeeded in introducing into their Bill the whole principle of prohibition. Whether or not grocers' licences were included, was a small matter compared with the question as to whether prohibition, as it was known in America and the Colonies, should be introduced into this country. What they had to deal with was prohibition pure and simple. That was the proposal which he was prepared to discuss on general lines. Although several opportunities had been given to the Government, they had not given the House one word of justification for the introduction of prohibition into this country. In every country where prohibition had been enforced, it had proved a total failure. It would be impossible without detaining the Committee at great length to go into the whole question of prohibition, and he would only endeavour to show that where it had been tried it had been such a dismal failure that the majority of people were anxious to go back to the previous state of things. He quoted an extract from an article by the hon. Member for the Woodstock division in the *Nineteenth Century*, which, he said, only bore out the view of every impartial person, whether Liberal or Conservative, who had been in a prohibition area. He had been in New Brunswick where the Scott Act,

passed twenty years ago, was in operation in certain areas, and he was assured by many people, Liberals and Conservatives, holding many different positions in life, that where the Act had been put in operation, though the saloons and the liquor traffic had been injured, and there was less open drinking, there was twice as much secret drinking as there had been before, and so far from inducing temperance it had led to the worst form of intemperance, namely, intoxication from drinking badly-distilled liquor which had never been sold in a properly conducted bar. That had been the effect all over the country. There was hardly a single State in which prohibition was enforced in which there was not some form of selling drink. They had not heard in that debate a single word in justification of the American system. The Prime Minister had told them how the system had worked in other countries, yet he came down to the House with a very badly drafted Amendment of which he could not explain the provisions and expected them to adopt the whole principle of prohibition and local option. It might be urged that they were not likely to have such violation of the law in this country, and so much corruption as had taken place in the United States and in other countries, but he did not see that there was any reason to suppose that that would not happen. They said it was an ill bird that fouled its own nest, but he would be sorry to say that the average man in Maine or New Brunswick was more corrupt than the average voter in this country. What had caused the law to be violated and corruption so prevalent was not the corruption of individual men but the badness of the laws themselves. There was no purer Anglo-Saxon community than in the New England States and Southern Canada, and they were in other respects a most law abiding people, but they expected to carry out things which could never be carried out by laws. Apart from that there was in America, Canada, and Australia at all times far less drinking of alcoholic liquor than in this country, and it was quite a common thing to go into a man's house and find nothing but temperance drinks—tea, coffee, and water. At any rate the temperance advocates and Governments of that country had been

consistent. He believed that in many instances in the prohibition States of America and in provinces in Canada where prohibition was in force no kind of alcoholic drink was admitted to the tables of members of the Government. That was quite true; there were two cases in America where at the Governor's State banquet nothing but temperance drinks was permitted. What he wished to ask right hon. Gentlemen opposite was: were they prepared to go to that length in this country and carry the principle of prohibition to its logical issue. The prohibition areas of the United States and Canada had made the experiment and they admitted that it had failed to make total abstinence universal throughout those areas. No such suggestion of a general prohibition was made in the Bill nor had it been advocated by its promoters. As it stood, the effect of the subsection under discussion would be simply to prevent the poor man obtaining his drink under proper conditions, whilst on the other hand the rich man might have as much as he liked. It was for that reason that he and his friends maintained that the proposal was an undemocratic one and essentially a scheme to set up one law for the poor and another for the rich. He challenged the right hon. Gentleman to bring forward any justification for the proposal contained in the clause. They had not been able to prove the success of prohibition in any part of the world; it would simply lead to great inconvenience and even to universal corruption and disregard of the law.

MR. BELLOC (Salford, S.) thought the Committee was by this time convinced that the proposals of the Government were substantive as well as limiting. This was not merely a limiting Amendment—not merely an Amendment limiting the conditions under which local option would take place. It laid down that local option should exist in a very drastic form. A majority without doubt of the voting Liberals of the country, and probably a majority of the population, certainly a free majority of the House, were in favour of the main principle underlying the Bill, that the State should resume control, and that within a comparatively short period, over the liquor traffic. But on to that had

been tacked, and this was an example of it, a number of clauses which had nothing whatever to do with that main principle. They had to do with a totally different principle, the principle that fermented liquor was a bad thing for the individual or for the State and in some way to be legislated against. That point of view probably did not carry the majority if it were free, and it most certainly did not carry the majority of the English people. It did not even carry a majority of the drilled Liberal voters. He could not deny that he felt some surprise when he noticed in whose name the Amendment had been put down. Even those who had no very long political memory could remember 1895, and if there was one thing that it was the fixed resolution of the English people to have nothing whatever to do with, it was local option—not the politicians, not the local fairly well-to-do men who arranged elections, but the working people who voted. He could tell two constituencies in which the elections turned mainly on this matter, and one of them was Derby. He had spoken to a very full meeting of the licensed victuallers of his constituency. The House would appreciate what their point of view was likely to be. They treated him very courteously, but there was no enthusiasm. He had also spoken by request to a large and very representative meeting of the temperance people who thought fermented liquor to be a bad thing; he distinctly affirmed his position in the clearest manner, and though of course the meeting could not be unanimous, the Chairman and more than one of those present recognised that if they were to have a right to limit the number of licences by a democratic vote, at least they must also have a right to say whether there should be more or whether there should be any. If they were to have a public vote over small areas in which a two-thirds majority of ratepayers might say to the other third: "You shall not use your local club or public-house," it was a principle to which he was opposed. It was impossible for a man who desired to represent his constituency and voted freely to vote in favour of an Amendment which gave local option. The whole country was definitely against it.

*Mr. Belloc.*

\*MR. F. E. SMITH (Liverpool, Walston) said, in reference to the question as to whether off-licences were or were not included in the Bill as it stood, taking into consideration the Amendment and the original draft, he would be interested to hear the opinion of the Solicitor-General, because he could not conceive that there was any doubt at all that, as the Bill was drafted, off-licences must clearly be included. Clause 2 stipulated that, in respect of new licences local option should apply, while Clause 3 provided that on-licences should be treated as new licences at the termination of the reduction period. That provision in Clause 3 with the Amendment of the First Commissioner of Works would apply of course to off-licences. Another point was that if the Government were going to alter what the Bill now said so that local option should apply to off-licences, on what principle were they going to do so? He was opposed to local option and to the interference with off-licences contemplated by the Bill, but if it was the idea of the Government that local option was the proper way to deal with the spread of alcohol, which they were satisfied was at the bottom of very much immorality, and if they were going to leave it to the democratic vote of a constituency, what difference did it make whether it was sold for consumption on or off the premises? If there was anything in the panacea at all, it must apply to both forms of sale, and should not be limited to off-licences alone. There was another point which he hoped the Solicitor-General would explain. On what principle was a distinction drawn between the majority required in regard to local option in the first fourteen years and the majority required afterwards? In the first fourteen years it was to be a bare majority, and afterwards a two-thirds majority. He could not conceive what was the distinction of principle before and after the period of fourteen years. Another point to which he thought more attention should be given at present was the extraordinary proposal that—

"Those provisions shall be extended in such manner as Parliament may determine so as to authorise a resolution limiting the number of licences to the number existing at the time, or reducing that number to any less number."



Of course, that was pure prohibition. It was utterly irrelevant to draw a distinction between a passage in the Report of a Commission which condemned prohibition, and to point out that in other passages local option was not condemned at all. As to the proposal in the subsection, what it came to was this. The Government dared not propose prohibition in the degree to which they contemplated it would be possible to make proposals at a later date in some future Parliament, and, therefore, they laid down an academic instruction to future Parliaments which probably would have the utmost contempt for their policy.

While he thought the methods of the Government were novel and inconvenient, he commended their prudence. The hon. Member for Salford said there was nothing in the election of 1895 which was more responsible for the discomfiture of the Liberal Government of that day than local option, and that statement was received with considerable dissent by hon. Gentlemen opposite. He had there an extract from the *Westminster Gazette*, a journal which, he thought, would be regarded as representative of Liberal principles. After the election of 1895, that journal applied itself to the melancholy duty of ascertaining from Liberal candidates to what they attributed the uncomfortable experiences they had at the poll. Of the successful ones, who were not particularly numerous, 54 found the Licensing Bill harmful, 14 found it innocuous, and 16 only stated that it was helpful. Out of 157 defeated candidates 134 found the Bill harmful, 16 said that it did no great harm, and 7 said it was helpful. Only 13 out of 231 found it acceptable to the electorate on the Liberal side. The Prime Minister in introducing the concession by which for seven years after the expiration of the reduction period the monopoly value was not to be exacted in the case of licences renewed seemed to indicate that that breathing space would be of considerable value to licensed victuallers. He understood that during those seven years the licensed victualler would be exposed to having his licence taken away under the effect of a local option resolution. He wished to know from the Solicitor-General whether he was

right in that. What was the value of a concession of that kind if as the result of one of those popular votes the licence was liable to disappear? The licensed victualler's life would be one long convulsion as to whether or not his licence would be in existence when the next popular vote was taken. On Friday last the *Westminster Gazette* had a leading article stating that it would be a debt of honour which licensing justices and voters in a locality would be sure to recognise that during those seven years licences should not be interfered with. He would like to ask whether the *Westminster Gazette* represented the view of the Government on this point. Was it the view of the Government that during those seven years there would be an honourable understanding that licensed victuallers were not to be dispossessed? If that was the view of the Government, and of the hon. Member for Westmoreland and others who held strong views on the subject, it would considerably clear the air. Was it the view of the Government that during those seven years local option should not work to the prejudice of the security of licensed victuallers? It might not be convenient for the Government to tell the Committee at the moment. If the view expressed by the *Westminster Gazette* was the view of the Government what was the objection of the Government to accepting the Amendment? If it was the desire of the supporters of the Government that there should be an honourable obligation, why give the voters in a locality who might not share the honourable obligation of the Government, the opportunity of taking away the licence? Another point to which he wished to call attention was the arrangements made by the right hon. Gentleman for ascertaining the opinion of a locality. They were told in the form of an Amendment that was to be determined by three-fourths of the votes given. He should like to ask the right hon. Gentleman whether he thought that was the best way of determining the sense of the locality on the point, or whether he thought he was in the least likely to get a really representative vote instead by taking the alternative method and insisting on a certain proportion



of votes in a particular area. In regard to that point there was a useful analogy. When the Government brought in the Education Bill of 1906 it was suggested by the present Secretary for Ireland that it was the genuine desire of the Government to give certain special facilities to parents who were not satisfied with the normal instruction. Their opinion was to be ascertained by ballot. He himself and his friends on that side of the House suggested that only the votes of those actually voting should be counted, and the Government utterly declined to consider that proposal; they said a representative ballot could not be got in the way they proposed. Speech after speech was made by his hon. friends and by Irish Members pointing out that it would be an essentially inadequate ballot taken under those circumstances. The Government told them repeatedly that the proper way to get the opinion of the parents was to take, not the votes given, but the total number of voters qualified to give votes, and to take the majority of them. Surely they were entitled to know why a ballot which represented the sum of political wisdom when dealing with an Education Bill was totally inadequate when dealing with a Licensing Bill. An answer was not necessary, for everyone knew that under the Education Bill the desire was to make the facilities sham facilities, while the desire under this Bill was to make the will of the faddists effective. Therefore, the Government adopted the converse course in this case. The more he examined the provisions for local option in detail, the more he was struck by their inconsistency. The provisions were objectionable, and so far as the north of England was concerned, if the Government chose to go to the country on these local option proposals on the lines of the Bill, the statistician of the *Westminster Gazette* would have a more extensive field of inquiry than in 1895.

\*MR. LEIF JONES (Westmoreland, Appleby) said the hon. and learned Gentleman had challenged an appeal to the north of England in regard to the local option proposals. He would find that the opinion of the electors had al-

ready been expressed. Those who represented the north of England in this House had more right to speak for the electors of the north of England than those who did not. If the hon. and learned Gentleman would consult their votes, he would see that a majority were in favour of local option in the form in which it was in the Government Bill. The debate that afternoon had resolved itself into a sort of Second Reading discussion on the principle of local option. He did not resent that, although personally he thought the time would have been better spent in discussing the method in which local option could be applied. If hon. Members would recall the Parliamentary history of this question, they would find that whenever in recent years there had been a majority of Liberals in the House there had been a majority in favour of local option legislation. The hon. Member for Hull, in one of those ejaculations with which he enlivened their proceedings, said on Friday that this was local veto in six hours. It was forty-four years since local veto was first presented to this House.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash): And it would be forty-four years more.

\*MR. LEIF JONES: It was forty-four years since the late Sir Wilfrid Lawson first introduced his Permissive Bill, and the question had been as fully discussed in the country and the House as any question could be. [An Hon. MEMBER on the OPPOSITION Benches: In this Parliament?] Yes. It was perfectly well known at the general election that the result of returning the present Government to power would be the introduction of a local veto or local option measure. [Cries of "No" from the OPPOSITION Benches.] He held in his hand a manifesto put out by the National Trade Defence Association on the eve of the general election, and this was what that Association said to the licensed traders—

"No general election has ever meant so much to you as this. If you don't exert yourself now, you will have to face local veto. There is no sensationalism about this and no exaggeration."

Mr. F. E. Smith.

That was the expectation of the trade. The speeches of His Majesty's Ministers were open to Members to read. Every one of them was deeply pledged on this question. Soon after the general election he had the opportunity of taking the opinion of the House on the question, and on a division the House declared in favour of the principle of local option on Colonial lines, by a majority of 227. Therefore, it was rather late in the day to pretend that it was a surprise to the trade to find this proposal in the Government Bill. The pledges of the Government and their supporters and the vote of the House, both led them to expect that local option would be part of the Government scheme for dealing with the licensing problem when they framed their Bill. He was sorry that the Government had not taken the Colonial precedents in regard to the proportion required to put local veto into operation. A two-thirds majority had been chosen. It was quite true that that majority found a place in some private Bills and in the Bill which the late Sir William Harcourt introduced in 1895. But he ventured to say that it was too large a proportion of the electorate to require to endorse any proposal. If a two-thirds majority were required in a Parliamentary election, right hon. and hon. Gentlemen opposite would not now be sitting there. Very few Members on the Government Bench received a two-thirds majority at the general election. Very few Members of the House received a two-thirds majority. He himself was elected by a bare majority, and there were many other Members who were in the same case, while some Members even represented a minority of the electors in their constituencies. If a majority vote was counted sufficient to change the Government of this country and Empire and to place in power a set of men holding entirely different ideas and principles from those who preceded them, was it not rather idle to pretend that a two-thirds majority was necessary on the question as to whether in a village there should or should not be the public sale of alcoholic liquor? He thought a majority vote was the logical and reasonable proposal. He had, however, accepted a three-fifths majority in the Amendment he had put

down. That would be ample to secure that there should not be the sudden changes of opinion on the matter which might be caused by a majority vote, although the experience of other countries did not point to the fact that a three-fifths vote was a more steadfast vote than that of a majority. The history of Cambridge, Massachusetts, was very instructive. It had had a "no licence" vote for twenty years. It was first carried in 1886 by a bare majority, and it had been maintained by a gradually growing majority since then. It was an annual vote, but it had at no time during twenty years reached more than 65 per cent. He had used the phrase "no licence" rather than "prohibition," because there was a very marked distinction between them. The hon. Member for Horsham rather emphasised that there was no logical distinction to be drawn between them. He believed that the same principle underlay "no licence" and "local option"; but "no licence" was not "prohibition." The noble Lord had insisted that the prohibition law had largely failed in Portland, Maine. His contention was that at its worst, so far as drunkenness was concerned, the Maine area would favourably compare with any licensed area in the world. [OPPOSITION cries of "Oh."] If statisticians employed by hon. Members opposite would go into the convictions of people for drunkenness in Portland they would find that they were largely drawn from visitors to that place, and not from residents in the State. But so far as there were breaches of the law in Portland, he thought they might be said to arise as a consequence of the population which was to be found in Portland who were against the prohibition law which was imposed on the State not by their vote but by the vote of people in the rural districts of Maine. That was a possible danger in a prohibition law, but he was not afraid to face the danger, believing as he did that the benefits exceeded the defects. It was a danger arising from a vote over a large area. They might have a rural population desiring prohibition and enforcing it on an urban area which did not want it. It was obvious that such a condition tended to breaches of the law in a way that would not be possible if the vote were taken in

and the public-house second, and not the public-house first and the home second, as was too often the case in this country. Another result of local option was a great education of public opinion. In Cambridge, U.S.A., a University and manufacturing town of 100,000 inhabitants, for instance, for six years there was a majority for licence. In the seventh year no-licence was carried, and since then had been carried year after year. No-licence was originally carried by a very small majority—about 400—but the town was now 65 per cent. for no-licence, such had been the education of the community by the operation of the law. Another good effect was its immense restraint on the operations of the liquor traffic. It had good results in raising the standard of conduct in the public-houses. No greater restraint could be put before the eyes of the licensed traders than the knowledge that if their houses were badly conducted, or if they outraged public opinion in their neighbourhood, public opinion would be able to close the houses which had done violence to the feelings of the neighbourhood. That tended to improve the conduct of the public-houses, even where the vote was not in favour of no-licence. These were the effects to be seen in no-licence territory in other countries. There were a certain number of no-licence districts in this country by the favour of landowners, and he claimed that the same results could be shown there. Under the operation of the veto of the people in the United States they had what the liquor trade called a tidal wave. He had read an article in an American liquor-trade paper headed "What shall we do to be saved?" It went on to say that the liquor trade had outstayed its welcome in the United States, and was being swept away by a tidal wave of public opinion. That opinion did not, perhaps, exist here at present to any great extent, although he believed it was stronger than some supposed; but after this Bill had become law, and had been in operation for fifteen years, for it would be fifteen years before a vote could be taken on this question, he believed those who opposed it now would find that they had made a mistake in resisting this social reform,

*Mr. Leif Jones.*

which would enable the people to protect their homes from the demoralising influence of the open public-house. Hon. Members opposite jeered sometimes when this demoralising influence was spoken of, but he believed no Member of this House lived next to a public-house. The licensing justices placed the public-houses near the poor, but there were no public-houses next where the justices lived. This was, in his opinion, a real piece of democratic legislation, and he believed the country was grateful to the Government for it.

MR. ARNOLD-FORSTER (Croydon) said the speech to which the Committee had just listened showed once more the enormous disadvantage which they had been under in discussing this Bill. Up to within an hour or two ago they were absolutely in the dark as to the Government's proposals with regard to one of the most vital principles of the Bill. He did not know now whether it was quite clear how the matter really stood. A great deal had been said by the hon. Member for the Appleby Division of Westmoreland which made it extremely doubtful from the hon. Member's own point of view whether the First Commissioner had placed a correct interpretation on those proposals. The hon. Member had told the Committee that there was to be no local option, or local veto, for fifteen years, but if his arguments were to have any weight at all that was the first thing that should come into effect. The hon. Gentleman had spoken of what the Government were doing now and reminded the Committee that they were not now settling the question of local option. The Opposition asked the Government to give a single precedent for what the Committee was now asked to do. They were still waiting and would wait long for a precedent. What was the use of the Government asking the House to bind Parliament for fourteen years? The thing was grotesque. They could not bind Parliament two years hence. The hon. Member for the Appleby division appeared to take the view too often taken by his friends. He said that the Opposition jeered at the conclusions he tried to force upon them. That was far from being the case. The hon. Gentleman had endeavoured to show in his arguments

the value of sobriety and of moderation in the use of drink. With that they all agreed. Where they differed with him was on an entirely different point. They differed as to methods by which that result should be obtained. For the last half hour the hon. Gentleman had been endeavouring to show that his special specific ought to be adopted. It was perfectly true that for forty-four years, ever since Sir Wilfred Lawson introduced his Permissive Bill, the Liberal Party had been in favour of local veto.

\*MR. LEIF JONES: I did not say for the whole of that time. Since 1880.

MR. ARNOLD-FORSTER accepted the correction with pleasure. During the whole of the time the Liberal Party had been in favour of some restriction of this kind, and since 1880 they had been specifically in favour of local veto. What had been the history of those forty-four years? How long had the Liberal Party been in power during that period? If they went from Bruce's Bill right down to the present time they could not find a single thing that had been done by the Liberal Party in favour of the principles the hon. Gentleman advocated. The hon. Gentleman went into detail as to the consumption of alcohol and the liquor laws of the United States. He had gone rather far afield for his illustrations; he might have come nearer home. He took the United States and told the Committee of the effect of prohibition in certain areas. But side by side with that they found a steady and constant increase in the consumption of alcoholic liquor in the United States. In 1897 the consumption of beer alone was 1,000,000,000 gallons and in 1906 it was 16,000,000,000 gallons. That was to say it had gone up from 14 to 20 per cent. per head of the population. What was the use of quoting these illustrations of what took place in certain parts of the United States side by side with facts of the kind he had just stated? If they abandoned that point of view, they were driven to the conclusion that some good reason must be found for adopting in this particular regard a restriction which was discarded in every other action of their lives. The hon.

Member quoted sanitary legislation, which he said was as serious an interference with liberty as local option, which he himself had confessed was local prohibition. But did that help the argument? What was the licence? It was a licence to trade. There were scores of licensed trades, the tobacco trade, the liquor trade, chemists—

\*MR. LEIF JONES: When I referred to the licensing system I meant the restrictive system which limits the number of licences.

MR. ARNOLD-FORSTER said he would take that definition and ask what application it had to this case. Had it been the object of licensing up to this time to deprive people of a right which they had hitherto enjoyed? Nobody could suggest that the taking of intoxicating liquor was an evil in itself. Yet it was suggested that they should give a locality power, by a small majority, to prevent an individual taking intoxicating liquor. There was no precedent for such legislation. To adduce arguments of that kind was to waste the time of the House. On the Continent of Europe everybody drank, but what harm did they do? Were the countries of Europe drunken countries? One part of France was, and it was a great pity; but how was it proposed to remedy that? Not by local option. It was proposed to remedy that in a way that commended itself to every serious thinker in this country who felt strongly on this question. The hon. Member had said that no Member of this House would allow a public-house to grow up side by side with his private house. Why? Because the whole train of this legislation was to make the public-house a place where persons went to stand up before a zinc counter to drink. He happened recently to be in Bremen, and what did he see there? A great public building in the heart of the city, a building of which any city might be proud, and in the basement of that building a great refreshment room to which all classes went, because everything possible had been done to make it a proper place of rest, refreshment, and recreation. As a due result of this local option Resolution he saw publicans being fined by being made to contribute to a compensation



fund. That was the very antithesis to what he would like to see. He would like to see the public-house made into what it was in every country in the world but this. He believed that if a little more energy was shown in making these places proper places of rest and refreshment very little would be heard of local veto. There had been no serious argument at all from the Government in favour of this proposal of local veto. It was not local option, though it was called so in the Bill; it was palpable on the face of it, to any man of reason, that it was local veto and not local option. Since the beginning of this debate they had learned a fact which ought to be clearly realised by everyone, namely, that this was prohibition; it meant that, so far as in them lay, they were giving powers to shut up the whole of the supply of any district, under the operation of this Bill. What was the argument of the right hon. Gentleman? None. They had not had a single argument except that of the hon. Member for the Appleby division of Westmoreland, that if they did introduce this new form of tyranny they would achieve the object desired. They had heard from all quarters of the House arguments based on experiences and research, based indeed on what was much more important, the common sense of those who come and go in the world, that this proposal could not have the effect desired. Under these circumstances it was too much to hope that they could rid themselves of this clause, but it was not too much to hope that by the time, the far off time, when some other Parliament had to deal with this subject, a perhaps very different verdict would be given. Here, as in every other instance, the Government appeared to him to be guilty of the most reprehensible action of putting from their own shoulders the burden which belonged to them. That was what they were doing with the national finance; they were postponing important liabilities which would have to be placed on the shoulders of those who came after them. It was the same with the naval and military services—they were postponing great duties which would have to be performed by those who came after them. And so, in this case concerning morals, they dared not

they knew they dared not, and after what had been said by the hon. and learned Gentleman the Member for the Walton division still less dared they do this thing themselves. They knew that the country would not accept it, and they knew that it would be the ruin of their Party if they attempted it. But they were endeavouring to gain the temporary satisfaction, which he supposed their consciences could feel from the unction which they poured upon themselves, by compelling their followers, willing and unwilling, to vote for this Amendment, and postponing the operation to fourteen years hence.

\*MR. KEIR HARDIE (Merthyr Tydvil) said the right hon. Gentleman who had just sat down had taunted the Party opposite with having done nothing for temperance for forty years—which seemed a very good reason why they should pass this Bill. Reference had been made to the *débacle* which overtook the Liberal Party in 1895, and the hon. Member for the Walton division of Liverpool had placed the responsibility for it on the Temperance Bill of that year. He was one of the victims at that time, and was therefore in a position to speak with some authority on the point. He endorsed the opinion that the Temperance Bill of Sir William Harcourt largely influenced the election of 1895, and adversely to the Party opposite. He believed the reason was not the introduction of the Bill, but the fact that the Bill was not passed through the House of Commons. The measure raised the fighting instincts of the liquor interest, but the fact that it was not persisted in did not rouse the fighting instincts of the temperance forces of the country. As a consequence the Government suffered. He would like to give it as his own opinion that the Party opposite stood to gain considerably in the opinion of the electorate by persisting strenuously with the measure now before the House. The back of the opposition was now broken. Members on the Labour benches were under no delusion as to the probable effects of the Bill. They wanted to see drunkenness diminished, and believed that one means was to reduce the temptations to drink—

“The sight of means to do ill deeds,  
Makes ill deeds done.”

Mr. Arnold-Forster.



The first outcome of the Bill would be to weed out the more disreputable public-houses which existed. At the end of fourteen years a new phase of the question was to be entered upon. He desired to deal with subsection (b) of the Amendment now before the House. As far as he could ascertain, the only effect of subsection (b) was to indicate to the Parliament of fourteen years hence what was the opinion of this House of Commons. He would like to see the indication extended somewhat. It was proposed by the Bill, if it became law, to say that at the end of fourteen years the local option provisions should be extended in such a manner as Parliament might determine so as to authorise a resolution limiting the number of licences to the number existing at the time or reducing that number to any less number. He thought the House would be interpreting the sense of the country and of the bulk of temperance opinion if they enlarged the scope of that indication. He could conceive a position of things at the end of fourteen years in which the people would be willing to reduce the number of licences and might even be willing to abolish licences altogether, but would be afraid to take that step because of certain results which might follow. He was sorry the Government had fixed for this purpose a two-thirds majority. He quite admitted that legislation of this kind could not afford to go ahead of public opinion, and that there might be danger, if a bare majority were sufficient to put the Act into operation, of these provisions being evaded. The other week he was in a part of Nova Scotia where the prohibition law was in force. He lunched at an hotel with some friends, and they had a discussion on temperance and the effect of prohibition. One who was present asked him if he would like to see the "Blind Pig." He confessed his ignorance, and was taken to a room at the back of the office, where there were whisky, brandy, wine, beer and all forms of liquor served to those who called for them. He was sure that the House desired that if legislation of this kind was to be put into operation, it should not be evaded in the manner he had indicated. He did not object at all to a considerable majority being required to put the Act into operation, but he thought two-thirds

too large, and that a three-fifths majority would be amply sufficient. To come to the point to which he specially desired to call attention, he suggested that the Government might incorporate in subsection (b) words which would place licences in the hands of the municipality or some other form of public control. Such words would indicate what was the opinion of the House, and if what he suggested were adopted, in those areas which were not prepared altogether to prohibit the issue of licences, the people could have an option as to whether such licences as were granted should be in the form of a private monopoly, as at present, or become a public monopoly. The right hon. Member for Croydon had referred to the fact that public-houses, in that part of England at least, had degenerated into places where men and women stood up to drink. The houses no longer possessed their social qualities, and that was true also of houses in the country districts. He knew that in Scotland persons who went to public-houses were very unwelcome visitors unless they kept continually consuming liquor. That was destructive of the ideal public-house which was present in many minds. Where people desired to have a public-house in their midst, many would desire to see it run as a municipal institution, not necessarily to make a profit, but to which a man could go with his wife and children, and where he could enjoy social converse without being under the temptation and compulsion of consuming liquor, as was the case to-day. He should very much like to see a provision of that kind inserted by the Government in this new subsection. He believed a sober population would be good not only for trade but for the national well-being. A mere prohibitory Bill would not produce a sober population. In New Zealand the tide of opinion was rising steadily in favour of prohibition of the liquor traffic, but that was due as much to the comfort and wellbeing of the people as to the teaching of temperance advocates. They desired, first of all, a measure for reducing the number of public-houses, and secondly a measure for empowering the people to say whether they desired liquor shops to be opened or not. What he suggested was that, since they were taking upon

themselves the duty of indicating to Parliament fourteen years hence what the opinion of the House was upon this question, they should also indicate the opinion that the power to municipalise the public-house or place it under some other form of effective control should be entrusted to the people as well as the power to abolish or diminish the number of public-houses.

MR. LANE-FOX (Yorkshire, W.R., Pukston Ash) said the hon. Member for Westmoreland had told them that there was a very much stronger feeling in favour of this Bill in the North of England than was generally imagined. He claimed to know something about the North of England, but he ventured to say that if hon. Members opposite gave their vote in the direction indicated it would be the duty of the Opposition to convey that fact to their constituencies, and then he had very little doubt as to what the result would be at the next election. The recent bye-elections had been quoted as evidence of the satisfaction of the people in regard to this Bill, but in his view nothing in the legislation of the present Government stood so much condemned at bye-elections as this Bill. He had taken part in the Newcastle bye-election, and he was told: "It is no use talking here about the Licensing Bill, because it is like a dead horse, for not a single voter will cast his vote in favour of it." They had been invited to protect the homes of the working classes, but he would like to know how they were going to achieve that under this subsection, which would place an enormous premium upon secret drinking in the case of off-licences. There seemed to be some doubt as to the actual meaning of the Bill with the addition made by the Amendment of the First Commissioner of Works. An extraordinary Parliamentary position had been created by this proposal, because on Friday night the whole House voted under the impression that off-licences were to be included in this Bill. That was the opinion of all sections of the House. Now they were told that this was not intended by the Government, but the opinion of the House was distinctly recorded in favour of putting off-licences under this provision. He

would like to know whether it was in the power of the Government to reverse the decision of the House at their own sweet will. The hon. Member for Westmoreland was a great believer in small areas, where he said prohibition would do an enormous amount of good, but he said nothing about the areas outside. If they enforced prohibition in one village they would only drive all the drunkards to the next village. What he desired to point out was the gross tyranny which this proposal might inflict upon certain individuals. Under this subsection there was not only complete prohibition, but also partial prohibition. In the case of an election in a particular village there was nothing to prevent a meeting being got up and a two-thirds majority being obtained to close some particular public-house belonging to some individual who for the moment might have rendered himself unpopular upon some particular question. As the subsection was worded it would be far better to have total prohibition or the present system continued. The hon. Member for Westmoreland had quoted the Resolution of the House in favour of local option. But those who had been long in the House of Commons knew the value of academic Resolutions passed on private Members' nights: they were not worth the paper they were written upon. Nothing would please him better than to see the great majority of hon. Members opposite committed to total prohibition. It was because he believed they had absolutely no mandate to bring forward such a provision as this, and because the people were opposed to the whole principle, that he should vote against this Amendment.

\*MR. SHERWELL (Huddersfield) said his complaint against the Government, as far as the particular provisions of this clause were concerned, was that they were likely to suffer from an excess of generosity. He thought he was expressing a view largely held on the Ministerial benches when he said that the Government had generously enlarged the area of controversy without any compensation in the form of immediate practical benefit. Speaking for himself alone, he regretted that the Government

*Mr. Keir Hardie.*

in dealing with a Bill so complicated in character as this had not seen fit to leave the powers that were to be exercised or might be exercised at the close of the reduction period as the concern of the Parliament whose responsibility it would be to deal with the situation. If, however, the Government desired to give a general indication of the options to be exercised at the end of the time-limit, then he thought their indication should not be framed in such a way as either explicitly or implicitly to exclude other possibilities and other powers. It could hardly be seriously contended that the particular option referred to under this subsection exhausted all the possibilities of Parliamentary action in connection with this great question. He did not think it represented the best method that could be employed in the legislative treatment of this particular question. His own position in the matter was that of one who was deeply conscious not only of the moral but of the social and physical significance of this question. He was specially attracted to a consideration of this subject from its serious economic significance, having regard to the future development of the country. There was no hon. Member of the House who could not but feel that the present expenditure of the people of this country upon alcohol was excessive and ought to be substantially reduced. Therefore, in considering proposals for practical reform, he was bound to ask himself what would be their actual effect in achieving the primary end of legislative reform, namely, a substantial diminution of the expenditure upon drink in this country. The two powers contemplated by the Government were a still further reduction of licences and prohibition by local vote. Personally, he should not be prepared to enlarge the area of controversy for the comparatively unimportant benefits likely to accrue from a still further reduction of licences. He had always held that the value of a reduction of licences as an instrument for reducing drinking had been greatly exaggerated. But if the reduction of licences were the end aimed at why set up such a cumbrous machinery to attain that object? A further reduction of licences could readily be brought about by the application of the economic check of adequate

taxation. The present excess in the number of licences was historically due to our failure to apply this economic check. He might be asked how, holding this view, he could support a Bill which included proposals for compulsory reduction by means of monetary payments. His answer was a simple one. The essential feature of this Bill was the settlement of the compensation difficulty by means of a time-limit. But given the enactment of a time-limit no reduction of licences was possible by economic check throughout the whole of the time-limit period. Unless, therefore, he accepted the reduction proposals of the Bill he would be forced to perpetuate an excess of facilities for obtaining drink during the time-limit period. If, however, a further reduction was desired at the end of the time-limit he would accomplish it by adequate taxation. With reference to the second option contemplated in this Bill, namely, local veto by a popular vote, his position could be simply stated. So far as prohibition was likely to be effective in bringing about some diminution in the drink expenditure, he was prepared to welcome it as one amongst other options in a comprehensive scheme. So far as it might achieve that end it should be favourably considered, but as the right hon. Gentleman the Member for Croydon had pointed out, in the United States of America, where prohibitory legislation on the most extensive scale in the world's history had been applied, since 1880 there had been a progressive increase in drinking. Ten years ago the consumption of alcohol in the United States per head of the population was only half that consumed in this country, but during the last five years it had risen to three quarters. He was not suggesting for one moment that the consumption of alcohol in the United States would not have been greater without prohibition, but the conclusion he drew was that there was not in prohibition that prospect or promise of the panacea that was needed. Allusion had been made by the hon. Member for the Appleby Division to the recent great extension of prohibition in America where, next year, eight States in the American Union would come under

prohibition. But how far did those States offer them any illustration or evidence of the possibilities of prohibition in this country? In considering the practical application of a particular system they were bound to ascertain how far the general social and economic conditions obtaining in the two countries were alike. The eight prohibition States in America were extremely sparsely peopled, and had an average density of population of only twenty-five persons to the square mile. England and Wales had a density of population of 558 persons to the square mile. A county like Staffordshire had 1,063, whilst Lancashire had a density of population of 2,346 to the square mile, and the West Riding of Yorkshire of over 2,700. It was only when they came to compare social and economic conditions in the two countries that they understood the limits within which local veto was successful in America and elsewhere. The hon. Member for the Appleby Division had reminded them that there were urban districts under prohibition in the United States and he had particularly referred to Massachusetts. What were the prohibition areas in Massachusetts? They were of a strictly suburban character, and in close proximity to Boston. In fact, they had been described as the bedrooms of Boston. Cambridge, to which his hon. friend had referred, was in the closest proximity to Boston, and was for practical purposes a part of the city of Boston. Even in Cambridge, which was a University suburb, with only a small industrial population, the voters in the industrial ward had constantly given a majority against prohibition. He was aware that there were areas in this country where no licences existed, but he drew a sharp distinction between a prohibition enactment on the part of a landlord and one which might withdraw facilities from a neighbourhood where people had been accustomed to have those facilities. The people who went to those areas did so knowing the conditions obtaining there, and the veto was modified by the fact that in close proximity to those areas there were facilities which offered an effective safety valve. Therefore, the existence of these prohibition areas did not

*Mr. Sherwell.*

offer a fair argument as to the probable operation of local veto over large urban areas in this country. He submitted that it was not enmity to the cause of temperance reform to recognise those facts. He mentioned them because after the closest possible observation and investigation of prohibitory laws all over the world for many years, he had concluded that experience did not justify him in looking forward hopefully to local veto as the sole method of temperance reform in great urban communities. Some of his hon. friends might ask if it did not operate what harm would be done. That argument might be valid from a strictly negative point of view, but he was looking for a positive method of obtaining some substantial reform. He did not want to weary the Committee, but he would like to indicate what was a very deep-rooted conviction in his mind, namely, that the attention of Parliament had taken a wrong direction in considering the methods by which this great evil could be solved. He believed that if any statesman, whether Unionist or Liberal, were deliberately to set himself to find out what was the radical defect in our licensing laws; what it was that, for centuries, and notably during the last century, had defeated the efforts of Parliament, and, despite repeated and multiplied restrictions, had left the evil in its present dimensions, he would be forced to admit that the reason lay in the fact that in their search for remedies they had not gone back to first principles and had not recognised the paradox that lay at the very heart of their licensing question. Their licensing system in its very structure was based upon the assumption that a dangerous trade, which was peculiarly liable to abuse, and capable when abused of infinite mischief to the community, could be safely entrusted to those whose only interest in it was the commercial interest of gain. He was one of those who held that it was in the highest interests of the community that they should have as little expenditure upon alcohol as they possibly could. But it was in the highest interest of the private trader that he should sell as much alcohol as possible. Sooner or later these two opposing forces were bound to come in collision.



and the results which this Committee recognised as deplorable were nothing more than the historic evidence that this inevitable collision had already taken place. He did not blame the publican for that result. It was not his fault, but the fault of the system under which the country had placed him. So long as the publican stood to gain by every glass of beer he sold, so long would he do his best to sell as much as he possibly could. There was not a man in the House who would not do precisely the same thing if he stood in the publican's position. Again, anyone who studied the history of their licensing legislation realised that it was to a large extent a story of baffled effort and repeated failure. Moreover they had never been able to achieve the most moderate instalment of temperance reform without a severe and prolonged struggle with the representatives of the trade. Here again one must not blame the licensed victualler; it was the principle of the system which was at fault. Every licensing reform, whether large or small, even the most moderate of them, was aimed at a diminution of the publican's profits. Therefore they were bound to encounter the organised resistance and opposition of the trade. In this direction lay the fundamental defect of their licensing system. For many years he had pleaded for some Parliamentary recognition of the paradox which lay at the heart of the licensing system and for statutory sanction of the principle of the Gothenburg system, especially as it was carried out in Norway. He did not wish for one moment to be held to suggest that the elimination of private profit from the drink traffic would work as a charm, because he did not think that by itself it would solve the problem. What was the problem? What after all was the explanation of the attraction of the public-house for the average man or woman? Some of his hon. friends would say that it lay in the fascination of the drink. He was not prepared to admit that. Speaking generally they found that a thing fascinated in proportion to some felt deficiency in life. If there was at the bottom of a man's life a deficiency which the community by wise social arrangements did not try to meet, the man himself acting under the compulsion

and laws of his own being would try to meet the deficiency in his own way. It was well, perhaps, to disestablish public-houses. It was ill if their efforts were going to stop there. Indeed it might be questioned whether before they abolished the public-house they ought not to seek to put something better in its place. He might be told that the true centre of life was the home. He believed it. But before this Committee gave its sanction to that dictum they should see first of all that the people had homes to stay in. He might be told that the habitué of the public-house would not be drawn by counter attractions if they were provided.

\*THE CHAIRMAN: I am sorry to stop the hon. Gentleman, but he is really getting much too wide.

\*MR. SHERWELL said he would close with an appeal to the Government to consider whether they could see their way to add to the clause some such words as he had indicated in the Amendment that stood in his name.

MR. WYNDHAM (Dover) said the whole Committee had listened with deep interest to the eloquent and earnest speech of the hon. Member for Huddersfield. Was it too much to hope that that speech might persuade the Government, even at that late hour, to abandon their present project of inviting the House of Commons to take the unprecedented step of trying to control a Parliament which was to meet in fifteen years time? Some supporters of the Government had explained why they supported or differed from them. The hon. Member for Huddersfield had said that he looked forward to a time when there would be higher licence duties; the hon. Member for Merthyr Tydvil hoped to see public-houses put on a different footing; and the hon. Member for Salford, speaking as a democrat, said that if there was to be local option, there should be power to increase as well as diminish facilities. The hon. Member for the Appleby Division alone acquiesced in the course which the Government were asking Parliament to take. If he were to conjecture what the object of the Government was in asking them to take this extraordinary step he should



say that probably—he hoped he was not uncharitable—it was to withdraw the question of prohibition as a practical issue from general elections during the next fifteen years. Another thing which had been made perfectly clear in the debate was that this House of Commons contained no willing majority prepared to affirm the principle of prohibition, and that was why it was being shelved for fifteen years. The Amendment was a pious opinion in the sense that it would have no binding force on Parliament in fifteen years time. But, although it could have no effect upon the will and liberty of Parliament in the future, it would exercise a very prejudicial effect on the whole licensing question during that interim. To place an opinion of this kind on the Statute-book was to make the licensing trade of the country a speculative and disreputable business. The two main currents of opinion behind the Government were those who thought they had discovered a gold mine, and those who thought that all opportunities for drinking in public should be abolished. Those two distinct opinions were incompatible, and that was why the Government had not seen its way to tell the House which of the two it intended to take. Perhaps their policy was concealed inside Clause 2, subsection 6. If that was not so, they must mean one of three things—a prohibitionist policy, a Gothenburg policy, or a policy of treating the trade fairly in order that it might be conducted decently for the benefit of the people at large. Instead of getting a better class of house and deriving larger revenues from the trade, the effect of the Amendment would be to make the houses worse and to diminish the revenue.

MR. L. HARCOURT agreed with the statement made by the hon. Member for Huddersfield at the commencement of his interesting speech that the proposal of this Amendment had extended the area of the discussion. If they had succeeded in doing nothing else, they had succeeded in that. They had encouraged the hon. Member for Merthyr Tydvil to debate the question of municipalisation. It had naturally enabled his hon. friend the Member for Huddersfield to deal with the question of disinterested

management, and it had led to a much larger and wider discussion than he should himself have expected. Some reproach had been addressed to him by hon. Members opposite that he did not deliver the whole mind and opinion of the Government on the question of local option or local veto. He did not think it now necessary to undertake to debate again a question which had been fully debated in this House on the First and Second Reading of the Bill, namely, the general question of the control of the liquor traffic. That question had been annually and profusely debated in the House for the last forty-four years. Some observations had been made with which he would shortly deal. The hon. Member for Huddersfield said he would have preferred to deal with the liquor traffic on the basis of adequate taxation. That had not been the method which the Government had thought most desirable for the commencement or at the moment, although it was always open for the Government and the House to deal with the liquor traffic by that alternative. His hon. friend spoke of local veto as it appeared in this Bill, as if it were the only alternative which the Government had in their mind. That was not and never had been the case. They would first of all attain during the fourteen years reduction period what they believed would be an improvement in the condition of the trade. He could not imagine how the right hon. Gentleman the Member for Dover could think that the gradual reduction of licences in that term, when the less reputable and most speculative houses would be dealt with, could be anything but a real advantage to the State, to temperance, and to the welfare of everybody concerned.

MR. WYNDHAM said the right hon. Gentleman was misrepresenting him. What he said was that what would make the trade disreputable was the proposal now before the Committee, namely, that a future Parliament was to expose the survivors to the chances of prohibition.

MR. L. HARCOURT said he would tell the Committee why there was only prohibition in the Bill. He admitted

*Mr. Wyndham,*

that after fourteen years local option practically became prohibition, although it was not actually prohibition. During the currency of the fourteen years reduction period power was given to the locality under the Bill to prohibit the issue of any new licence. That was a local option which he hoped would be largely and wisely exercised in many places. But when they came to the end of the reduction period, if this alteration were not made in the Bill a small majority of the electors, operating upon what would then be technically new licences, but which would mean the old and the new, would be able to obtain absolute prohibition. The Government had proposed this Amendment in order to secure that when that power accrued to the people at the end of fourteen years it should be exercised only by a two-thirds majority. The Government were not providing in the Bill the machinery for future limitation and reduction of licences. The right hon. Gentleman had asked him what he thought would happen in fourteen years. He believed that after fourteen years Parliament would be forced by public opinion to give to the people of this country a very much larger number of options in the management of this trade than anybody now contemplated. Some hon. Gentleman had described subsection (b) as a "pious hope." He did not disclaim the words. The subsection was not of a limiting character. It was true that only two methods of dealing with this traffic were mentioned in it; but they were not mentioned as limits.

SIR THOMAS WHITTAKER (Yorkshire, W.R., Spen Valley): Why mention them at all?

MR. L. HARCOURT said that the reason for mentioning them was that in the past complaint had been made on behalf of the trade that Parliament had not given those concerned sufficient notice of what was likely to happen. The Government did not wish to allow any expectations or sacred rights to grow up during the fourteen years. Though they had not included every option which might in future be given to the people, they had thought it right to notify the trade that in their opinion these prospects and others

were things to which it should look forward.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said he would not have intervened in the discussion if the right hon. Gentleman had made any effort to cover the ground which his opponents had taken on this question. This was one more illustration of the great difficulties under which the House of Commons laboured when it deliberately bound itself to come to a decision at a particular hour, quite irrespective of what the Government might mean to say or do. He would add to that, that the Government had introduced yet another change in our Parliamentary procedure, apart from their extreme use of closure by compartments, which was a matter of great inconvenience and regret. They had superimposed upon this system of closure by compartments a system of management of Bills by compartment, and different Ministers turned up on different days to deal with the various watertight sections of the Bill, and made speeches that had very little reference to what had gone on in debates that had previously taken place. He hoped that the right hon. Gentleman would not think that he complained of his conduct of the Bill so far as that was a matter personal to himself. What had happened that day? The right hon. Gentleman in one of the very few observations with which he had favoured the House, observed that the right hon. Member for Dover was wrong in supposing that any deleterious effect would accrue to this trade in the next fourteen years by the suppressing during that time of at least one-third of the licences, and said that it would be the least reputable of public-houses that would be closed during that period. But how did that agree with the speeches and action of his colleagues when they selected, to use his own term, the least reputable public-houses to receive compensation for the loss of licences? The houses which had the smallest claim to considerate treatment were to receive this compensation at the hands of the more reputable licence-holders who themselves were to be deprived of any

compensation. Really this kind of argument on the question immediately under discussion without any reference to what had gone before, and without any regard to what might come after, led the Government and the House of Commons into positions of intolerable inconsistency and would lead to great hardship in legislation. The right hon. Gentleman had not had a word to say in defence of the proposal which he had advanced, to the surprise of both sides of the House, for excluding off-licences from the proposal under discussion. He at once stated there was a great deal to be said on one side and the other, but the Government said nothing at all. It only put down an Amendment which included these licences one day, and on another day announced an intention of altering the Amendment so as to exclude them on the Report stage of the Bill. That was making Parliamentary procedure a farce.

MR. L. HARCOURT said he had not gone into this matter because he understood that it was not germane to that day's discussion.

MR. AUSTEN CHAMBERLAIN thought it was germane to the discussion. The right hon. Gentleman must know that they had heard that day some of the most interesting speeches delivered during the debates, many of them fruitful of good suggestions, and coming nearest to the heart of this question. He had listened to the speeches of hon. Gentlemen, not only amongst his own friends, but speeches from Gentlemen with whom he did not act, and with whom he did not ordinarily agree. The hon. Member for Huddersfield had made a most remarkable speech drawn from rich stores of knowledge, and he ventured to say that it struck at the whole root of the proposal which the Government had asked them to adopt. The hon. Member for Merthyr Tydvil also made a speech earlier in the evening, which, although there was a great deal in it with which he could not agree, pointed in the same way to the inefficacy of the remedy which the Government had proposed as a cure for the evils of intemperance, and the

possibility of making people sober by any measure of prohibition, and the necessity, referred to by the hon. Member for Huddersfield and which the Opposition had tried to press on the House, of devoting attention not to suppressing these evils in isolated districts by small majorities, but by establishing more wholesome businesses throughout the length and breadth of the land wherever these were required by the necessities and convenience of the people. The discussion had turned on the question whether they were to indicate to the country and future Parliaments their opinion that at the expiration of the time-limit licences should be subject to the operation of local veto. He asked the Government why they had selected certain licences as licences which were to be subjected to this local veto, and on what grounds they excluded others, the evils arising from which were admitted on all hands, though they might, just as the ordinary on-licence did in many cases, serve a very useful and a harmless purpose. If the remedy was good in one case it was good in the other; if it was bad in one case, it was bad in the other. The action of the Government was wholly inconsistent in itself, wholly inconsistent with what they had been told the previous day; it was unexplained, he believed, because it was inexplicable to themselves, or by any reason which could be given either in the House or in the country.

SIR THOMAS WHITTAKER said that when the First Commissioner of Works was speaking he had asked him what was the reason for putting Paragraph (b) in his Amendment on the Paper, but he did not feel that the explanation of the right hon. Gentleman was at all satisfactory. This was an instruction at least fourteen years ahead to future Parliaments as to what they were to do. Now, he quite agreed that it was essential that there should be no misunderstanding that at the end of the time-limit, fourteen years hence, the nation should be at full liberty to deal in the freest and most extensive manner with all licences, and he was ready to assent to the insertion of such an intimation as might be necessary for that purpose. In subsection (2) of

*Mr. Austen Chamberlain*

Clause 3 there was an indication that Parliament should be free to enact prohibition, or other methods of reducing licences; but in the Amendment which the right hon. Gentleman had now on the Paper nothing was said about prohibition; it was merely a matter of reducing, or retaining licences as they were. It not being necessary to put in prohibition, it was perfectly clear that it was felt that Parliament in the future would have the fullest power, and that there might be prohibition. But the right hon. Gentleman said that he anticipated that at the expiration of the time-limit, when they would have full control and freedom, there would be methods of dealing with the trade of which nobody now dreamed. If that were so, why should they do anything which would limit it in this kind of way? If it were necessary to give this notice of any of these various ways of dealing with the trade to which the right hon. Gentleman referred, surely in this Paragraph (b) they ought to give notice of all of them. If the notice were required at all it ought to be notice of all of them. It ought to have its full scope, and if they only gave notice of some of them surely that was limiting the law. It appeared to him that this Paragraph (b) was not necessary. It was not necessary to intimate to future Parliaments what they ought to do at all. They would have the fullest liberty, and there was no necessity to have anything of the kind. He entered the strongest protest against this Paragraph (b) being left in, as Paragraphs (a) and (c) covered the full ground. No substantial reason whatever had been given for its inclusion, and he thought that even now they ought to insist that the paragraph should be dropped out, as there was no necessity for it.

VISCOUNT CASTLEREAGH (Maidstone) said he had listened with interest to the speech of the right hon. Gentleman who had just sat down, and also to that of the hon. Gentleman the Member for the Appleby Division of Westmoreland, and he could only say that it appeared to him a very curious thing that these gentlemen who claimed to be the advocates of temperance should be so singularly immoderate in their dealing with other people's property, and other people's liberties. He noticed also, in

the speech of the hon. Member for Appleby, that he was desirous of prohibiting hon. Members from travelling abroad, and satisfying themselves as to what went on in localities there. [Cries of "No."] He thought that was what the hon. Member said.

\*MR. LEIF JONES: No; I should be very glad if the noble Lord would go abroad.

VISCOUNT CASTLEREAGH thanked the hon. Member very much, and said he could assure him that he had been abroad, and on this subject had had as many opportunities of satisfying himself as the hon. Gentleman himself. He had heard no reason of an adequate character that afternoon in favour of this local option or local veto. They had heard various instances of how local veto had been put into operation, and he did not think in one single instance could it be claimed to be successful. They had often discussed the question of local veto in this House. It had been discussed for forty-four years. An academic vote had been given, but the discussion had been of the most unsatisfactory character, and he ventured to join issue with the hon. Gentleman in saying that the people of this country were in any way unanimous in their views as to local veto. The last time it was put before the electors was in 1895, and, notwithstanding all that the late Chairman of the Labour Party had said, he was convinced that the people of the country gave their decision emphatically against it, and he believed that would hold good to-day. Hon. Gentlemen put forward the question of local veto on the grounds of "trust the people," but he ventured to disagree with the suggestion altogether, because it was not a case of trusting the people. If the people would only do what the temperance faddists on the other side of the House desired they could have their way, but if they desired, on the other hand, perhaps to increase the number of licences, then they were not, under any circumstances, to be allowed to do so. He certainly thought that the situation that had arisen to-day was one of the most astounding character. They heard that the



licensing trade should have known perfectly well what was in the Bill which the Government was going to bring in, and have made arrangements accordingly, but from what he had seen, it appeared to him that the Government themselves did not know what was in the Bill, nor did they appear to know what was going from day to day to be put into their Bill. There appeared to be certain anomalies with regard to the Bill. One of them was spoken of by his right hon. friend the Member for Dover, and that was with regard to the houses that would have an auxiliary licence. Under the Bill, as it at present stood, licensing justices were allowed to override—if he might use the expression—local wishes in these cases, subject, of course, to the Licensing Commission. He understood that according to the Bill the Licensing Commission came to an end after a period of fourteen years, and what he wanted to ask the right hon. Gentleman was, if the Licensing Commission did come to an end at the end of fourteen years, what was the position of those licences which were held as auxiliary? Were they to come under prohibition or were they to be in the jurisdiction of the local licensing justices? He certainly hoped that if the Bill went on the Government would take some steps to instruct themselves with regard to their own measure, and if it was going to become law, as he sincerely hoped it would not, that these anomalies with which the Bill was brimful, would be removed as speedily as possible.

\*MR. BENNETT (Oxfordshire, Woodstock) said he wished to endorse every word which had fallen from the lips of the hon. Members for Spen Valley and Huddersfield, and to make his appeal with them that the Government would recast this objectionable paragraph or leave it out altogether. A long quotation had been given from an article of his in the *Nineteenth Century* with regard to prohibition, but he would point out that he was referring to State prohibition, which was a very different thing to anything contemplated in the Bill, and to the populous town of Portland. They were taunted with the fate of the Liberal Party when they next faced the electors,

but they were prepared to take their chance. ["When?"] When they liked, and he supposed that every thoughtful Member on that side knew perfectly well that any Government which tackled this question ran electoral risks, but simply because the Government was prepared to take these risks it deserved their warmest support. With regard to this Amendment, he confessed that he joined hands with nearly every speaker that afternoon, and that he was very sceptical indeed as to the utility of legislating in 1908 about the precise methods of local option which were to be applied fourteen years hence in 1923. Temperance sentiment and temperance effort in this country might perhaps develop along different lines and assume a different complexion during so long a period as fourteen years. Nor in any case did he imagine that their successors, or those of themselves who survived with the public-houses would in 1923 feel themselves at all bound by what would probably be then regarded as an almost obsolete section of the Act. But, if the Government insisted on specifying now the methods of popular control which were to be exercised when the temperance millennium was inaugurated in 1923, he ventured to say that in the opinion of many of them the scope of their proposals was too narrow. Why should the broad general principle of local option be narrowed down to the two methods of "limitation" and "prohibition?" Few of them on those benches had any quarrel with the principle of local option, even in the narrower sense contemplated in the Amendment, provided it was carried out on reasonable lines, and with a due regard for the opinions and habits of considerable minorities. But they must remember that by 1923 the number of the licensed premises which survived the process of elimination would *ex hypothesi* have been reduced to the sensible limits prescribed in the Bill, and in some cases would correspond more or less to the normal and legitimate needs of the people. There would be far less need, so to speak, for local option in 1923 than any which arose now amid all those fatal facilities for securing liquor which unfortunately existed around them that day. Further, many of them who yielded to none in their



earnest desire to see effective temperance reform an accomplished fact, believed that the late Mr. Gladstone was right when he described local option as "only a partial and occasional remedy." Local veto would probably tend to be least effective in districts which needed it most; and as to that far-off event, total prohibition, to which the whole cosmos of the United Kingdom Alliance was moving, well, he had seen enough of prohibition in the United States and Norway to lead him to realise the truth of the statement that prohibition might be both practicable and beneficial in sparsely populated districts, but that it was almost impossible to enforce it in larger centres of population. Why, then, as he said, were they to lay down definitely in 1908 that in 1923 local option was to be exercised solely for the reduction or prohibition of licensed premises? Why should other methods of local control be rigidly excluded? Why, for example, should local veto be inserted, while the option of disinterested company management was left out? The advocacy and support of this form of local option had been the definite policy for years past of the Temperance Legislation League, which numbered amongst its members nearly every bishop of the Anglican Church, practically every Nonconformist divine of eminence, 150 Members of Parliament, and a very large number of distinguished and public-spirited men and women of various political parties. In short, he could assure the Committee that in intellect and moral worth, experience and knowledge of affairs, they compared very favourably with some of those gentlemen who, under the banner of Messrs. Kempster, Malins, Hayler, *et hoc genus omne*, missed no opportunity of hurling abuse at those of their fellow-workers in the field of temperance who refused to bow the knee exclusively to prohibition as the one great panacea of the drink evil. That, of course, was not the time or occasion in which to enter into any description of the option to which he referred, that of disinterested company management. It was not the fault of the Temperance Legislation League if the scheme was not by this time thoroughly understood by the hon. Members of that House. He would

only add one note of personal experience. He knew a good deal about Norway, as he had visited it almost every year for the last fifteen years. He had lived in the interior and in the towns on the coast, and for the last six years he had spent some five weeks every year in one of the Lofoden islands. That island was under prohibition. It was a mountainous and sparsely populated island, and it was an earthly paradise. It had no crime, and one small policeman enjoyed a sinecure existence in one of the more remote islands of the group. But let them take some other parts of Norway. He had during the last fifteen years written to and talked with a large number of representative Norwegians—members of the Storting, clergymen, doctors, farmers, tradesmen, working-men—on the subject of the Samlag or company system. The chorus of approval was practically unanimous. One and all agreed that the Samlag had conferred incalculable blessings upon their nation, and had been a prime agent in rendering Norway one of the two most sober countries in Europe. He had met Good Templars in the islands and elsewhere, and they, like the Good Templars here, regarded prohibition as the ultimate ideal to be attained. At the same time they were willing to recognise the immense benefits conferred by the Samlag, and in any case infinitely preferred it to the mischievous system of private sale and private profit which had previously existed. He did not think the request they made that afternoon was other than a reasonable one. All they asked was that the Government should either by the deletion of some words, or by the addition of some words, give all temperance reformers a fair field and no favour. All they said was that if the trade could not be eradicated it should be regulated. He hoped the Government would see its way to meet the wishes of his friends and himself.

SIR GILBERT PARKER (Gravesend) expressed the opinion that no one could have listened to the debate which had taken place without feeling a sense of the absolute futility of the Amendment brought forward by the Government. The discussion that day had been the

most severe criticism of the Bill since the debates upon it had been opened in the House. They had listened to speeches from earnest temperance reformers, who, like the hon. Gentleman who had just sat down, had experience and observation behind them, and who had shown that the one thing that this Bill aimed at—temperance—was not being achieved by any clause in it. The hon. Gentleman who had just sat down had said that the Amendment which had been moved was inadequate, and gave no opportunity to anyone except those who were for absolute prohibition. But it did not give them a chance. The right hon. Gentleman had said not a word upon the Amendment which he had brought in. If this Amendment was to be moved at all, and if the principle of local option was to be embodied in the Bill, it certainly ought to have been supported by some reason from the right hon. Gentleman. The hon. Member for the Appleby Division attempted to give some reason why local option should be incorporated in principle in the Bill. The hon. Member had been impressed with the effect of local option in Canada, the United States, New Zealand, and Norway, but the hon. Member for Woodstock had made it perfectly clear that he did not find that prohibition in Norway had been effectual in reducing the number of cases of drunkenness.

MR. BENNETT: I laid stress on the fact that prohibition was effective in sparsely-populated districts.

SIR GILBERT PARKER contended that prohibition applied to the national life of a country would not be effective. The hon. Member had said it was effective in a sparsely-populated district, but here we had a small island, the smallest country in the hemisphere, with a crowded population, and the proposal before the Committee was an attempt to introduce into this small geographical area a system of stopping intemperance by local option. It was not effective in Norway. It had not been effective anywhere where it had been tried. In the areas in Canada where it had been tried drunkenness was greater than in parts where prohibition did not exist. In

Prince Edward's Island one person in every 341 was convicted of drunkenness. In Ontario one in every 128. There was no local option in Ontario. Wherever it had been tried in Ontario under the Scott Act it had been a failure. What had been noticed in Australia, New Zealand and Canada, was that the spirit of evasion which had been engendered by the introduction of local option—the desire to evade the law—had deteriorated the moral character of the people in the areas where it had been applied. One of the mayors in New Brunswick, speaking to the City Council in Moncton, said that the law should be better carried out; that it was quite apparent that the consumption of liquor in the city was on the increase and drunkenness was very prevalent, especially among youths; that most bar-rooms remained open night and day, and that no attempt was made to stop that state of affairs. That was in a district where local veto had been applied. As the hon. Member had said, in urban areas local option did not succeed. It was easy to make it succeed in sparsely-populated districts. There was no temptation to drink there. The rules of life in such districts were much healthier. The habit of drinking sprang from a fundamental want in the lives of the people who lived under hard conditions. If a temperance measure was intended by the Government the Bill should have contained a far wider system of local option than was contained in this Amendment—an Amendment which had not been supported by a single argument on the part of the right hon. Gentleman who moved it. He did not believe that local option would be beneficial to this country, but the Government did, and had brought in this Amendment to embody it in the Bill. The national character of a people was not often affected by legislation, but if it was, it would be affected deleteriously by legislation of this character. If any effect was to be produced at all by temperance legislation the effect should be the strengthening and the development of the best qualities of the local life of the people. Where local option had been tried it had resulted in deteriorating and destroying to a considerable extent the quality and efficiency and simplicity which ought to belong to the lives of the

*Sir Gilbert Parker.*

Scott, Sir S. (Marylebone, W.)  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Smith, F.E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sb.)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hon. J.G. (Oxf'd Univ.)  
 Thomasson, Franklin  
 Thomson, W. Mitchell- (Lanark)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Walker, Col. W.H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Warner, Thomas Courtenay T.  
 Williams, Col. R. (Dorset, W.)  
 Wloughby de Eresby, Lord  
 Wilson, A. Stanley (York, E.R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C.B. Stuart-  
 Wundham, Rt. Hon. George  
 Wung, Samuel  
 Wunger, George

CLERKS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

“That the Clause, as  
 part of the Bill.”

divided :—Ayes, 301 ;  
 Division List No. 271.)

Aspley, William J.  
 Atan, Peter Francis  
 Bziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W.H. (St. Pancras, W.)  
 Dike, Rt. Hon. Sir Charles

Fox Thornley  
 (Lambeth)  
 Sir Wm. J. (St. Pancras, W.)  
 H. Smeeth, K. (Hertford)  
 Sir Edwin A.  
 Clifford John  
 Sir H. J. M.  
 Herbert J. (Tyne)  
 J. William J.  
 Peter Francis  
 James Henry  
 Ellis William  
 M. Vaughan-  
 Timothy  
 Sir W. Howell  
 Dickinson, W.H.  
 Dike, Rt. Hon. Sir Charles

Kearley, Sir Hudson E.  
 Kekewick, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Maddison, Frederick  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)

Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Redmond, William (Clare)  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradford)  
 Robertson, J. M. (Tyneside)  
 Robinson, J.  
 Robson, Sir William Snowden  
 Roch, Walter F. (Pembroke)  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Stanger, H. Y.

Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Stuart, Sames (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Ward, W. Dudley (Southampton)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westboughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn. Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Barnard, E. B.  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Belloc, Hilaire Joseph Peter R.  
 Bignold, Sir Arthur  
 Bottomley, Horatio  
 Bowles, G. Stewart  
 Bridgeman, W. Clive

Brotherton, Edward Allen  
 Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc)  
 Chaplin, Rt. Hon. Henry  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.

Collings, Rt. Hn. J. (Birmingham)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Aber-  
 Du Croc, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)

Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd)  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hilla, J. W.  
 Hope, James Fitzalan (Sheffi'd)  
 Hunt, Rowland  
 Kennaway, Rt. Hon. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lowe, Sir Francis William  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles

M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, A. E. W. (Coventry)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Oddy, John James  
 O'Kelly, James (Roscommon, N)  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Ridsdale, E. A.  
 Roberts, S. (Sheffield, Ecclesall)  
 Ropner, Colonel Sir Robert  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sassoon, Sir Edward Albert

Scott, Sir S. (Marylebone, W.)  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hn. J. G. (Oxf'd Univ.)  
 Thomasson, Franklin  
 Thomson, W. Mitchell (Lanark)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Warner, Thomas Courtenay T.  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

The CHAIRMAN then proceeded to put forthwith the Question necessary to dispose of the Business to be concluded at half-past Seven of the Clock this day.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided :—Ayes, 301 ;  
 Noes, 131. (Division List No. 271.)

### AYES.

Abraham, William (Rhondda)  
 Acland, Francis Dyke  
 Adkins, W. Ryland D.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hn. Herbert Henry  
 Astbury, John Meir  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barry, Redmond J. (Tyrone, N)  
 Beale, W. P.  
 Beauchamp, F.  
 Beck, A. Cecil  
 Bell, Richard  
 Bellairs, Carlyon  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bertram, Julius  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.

Brace, William  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Channing, Sir Francis Allston  
 Cherry, Rt. Hon. R. R.  
 Churchill, Rt. Hon. Winston S.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)

Crossley, William J.  
 Curran, Peter Francis  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.



say that probably—he hoped he was not uncharitable—it was to withdraw the question of prohibition as a practical issue from general elections during the next fifteen years. Another thing which had been made perfectly clear in the debate was that this House of Commons contained no willing majority prepared to affirm the principle of prohibition, and that was why it was being shelved for fifteen years. The Amendment was a pious opinion in the sense that it would have no binding force on Parliament in fifteen years time. But, although it could have no effect upon the will and liberty of Parliament in the future, it would exercise a very prejudicial effect on the whole licensing question during that interim. To place an opinion of this kind on the Statute-book was to make the licensing trade of the country a speculative and disreputable business. The two main currents of opinion behind the Government were those who thought they had discovered a gold mine, and those who thought that all opportunities for drinking in public should be abolished. Those two distinct opinions were incompatible, and that was why the Government had not seen its way to tell the House which of the two it intended to take. Perhaps their policy was concealed inside Clause 2, subsection 6. If that was not so, they must mean one of three things—a prohibitionist policy, a Gothenburg policy, or a policy of treating the trade fairly in order that it might be conducted decently for the benefit of the people at large. Instead of getting a better class of house and deriving larger revenues from the trade, the effect of the Amendment would be to make the houses worse and to diminish the revenue.

MR. L. HARCOURT agreed with the statement made by the hon. Member for Huddersfield at the commencement of his interesting speech that the proposal of this Amendment had extended the area of the discussion. If they had succeeded in doing nothing else, they had succeeded in that. They had encouraged the hon. Member for Merthyr Tydvil to debate the question of municipalisation. It had naturally enabled his hon. friend the Member for Huddersfield to deal with the question of disinterested

management, and it had led to a much larger and wider discussion than he should himself have expected. Some reproach had been addressed to him by hon. Members opposite that he did not deliver the whole mind and opinion of the Government on the question of local option or local veto. He did not think it now necessary to undertake to debate again a question which had been fully debated in this House on the First and Second Reading of the Bill, namely, the general question of the control of the liquor traffic. That question had been annually and profusely debated in the House for the last forty-four years. Some observations had been made with which he would shortly deal. The hon. Member for Huddersfield said he would have preferred to deal with the liquor traffic on the basis of adequate taxation. That had not been the method which the Government had thought most desirable for the commencement or at the moment, although it was always open for the Government and the House to deal with the liquor traffic by that alternative. His hon. friend spoke of local veto as it appeared in this Bill, as if it were the only alternative which the Government had in their mind. That was not and never had been the case. They would first of all attain during the fourteen years reduction period what they believed would be an improvement in the condition of the trade. He could not imagine how the right hon. Gentleman the Member for Dover could think that the gradual reduction of licences in that term, when the less reputable and most speculative houses would be dealt with, could be anything but a real advantage to the State, to temperance, and to the welfare of everybody concerned.

MR. WYNDHAM said the right hon. Gentleman was misrepresenting him. What he said was that what would make the trade disreputable was the proposal now before the Committee, namely, that a future Parliament was to expose the survivors to the chances of prohibition.

MR. L. HARCOURT said he would tell the Committee why there was only prohibition in the Bill. He admitted

*Mr. Wyndham,*

that after fourteen years local option practically became prohibition, although it was not actually prohibition. During the currency of the fourteen years reduction period power was given to the locality under the Bill to prohibit the issue of any new licence. That was a local option which he hoped would be largely and wisely exercised in many places. But when they came to the end of the reduction period, if this alteration were not made in the Bill a small majority of the electors, operating upon what would then be technically new licences, but which would mean the old and the new, would be able to obtain absolute prohibition. The Government had proposed this Amendment in order to secure that when that power accrued to the people at the end of fourteen years it should be exercised only by a two-thirds majority. The Government were not providing in the Bill the machinery for future limitation and reduction of licences. The right hon. Gentleman had asked him what he thought would happen in fourteen years. He believed that after fourteen years Parliament would be forced by public opinion to give to the people of this country a very much larger number of options in the management of this trade than anybody now contemplated. Some hon. Gentleman had described subsection (b) as a "pious hope." He did not disclaim the words. The subsection was not of a limiting character. It was true that only two methods of dealing with this traffic were mentioned in it; but they were not mentioned as limits.

SIR THOMAS WHITTAKER (Yorkshire, W.R., Spen Valley): Why mention them at all?

MR. L. HARCOURT said that the reason for mentioning them was that in the past complaint had been made on behalf of the trade that Parliament had not given those concerned sufficient notice of what was likely to happen. The Government did not wish to allow any expectations or sacred rights to grow up during the fourteen years. Though they had not included every option which might in future be given to the people, they had thought it right to notify the trade that in their opinion these prospects and others

were things to which it should look forward.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said he would not have intervened in the discussion if the right hon. Gentleman had made any effort to cover the ground which his opponents had taken on this question. This was one more illustration of the great difficulties under which the House of Commons laboured when it deliberately bound itself to come to a decision at a particular hour, quite irrespective of what the Government might mean to say or do. He would add to that, that the Government had introduced yet another change in our Parliamentary procedure, apart from their extreme use of closure by compartments, which was a matter of great inconvenience and regret. They had superimposed upon this system of closure by compartments a system of management of Bills by compartment, and different Ministers turned up on different days to deal with the various watertight sections of the Bill, and made speeches that had very little reference to what had gone on in debates that had previously taken place. He hoped that the right hon. Gentleman would not think that he complained of his conduct of the Bill so far as that was a matter personal to himself. What had happened that day? The right hon. Gentleman in one of the very few observations with which he had favoured the House, observed that the right hon. Member for Dover was wrong in supposing that any deleterious effect would accrue to this trade in the next fourteen years by the suppressing during that time of at least one-third of the licences, and said that it would be the least reputable of public-houses that would be closed during that period. But how did that agree with the speeches and action of his colleagues when they selected, to use his own term, the least reputable public-houses to receive compensation for the loss of licences? The houses which had the smallest claim to considerate treatment were to receive this compensation at the hands of the more reputable licence-holders who themselves were to be deprived of any

compensation. Really this kind of argument on the question immediately under discussion without any reference to what had gone before, and without any regard to what might come after, led the Government and the House of Commons into positions of intolerable inconsistency and would lead to great hardship in legislation. The right hon. Gentleman had not had a word to say in defence of the proposal which he had advanced, to the surprise of both sides of the House, for excluding off-licences from the proposal under discussion. He at once stated there was a great deal to be said on one side and the other, but the Government said nothing at all. It only put down an Amendment which included these licences one day, and on another day announced an intention of altering the Amendment so as to exclude them on the Report stage of the Bill. That was making Parliamentary procedure a farce.

MR. L. HARCOURT said he had not gone into this matter because he understood that it was not germane to that day's discussion.

MR. AUSTEN CHAMBERLAIN thought it was germane to the discussion. The right hon. Gentleman must know that they had heard that day some of the most interesting speeches delivered during the debates, many of them fruitful of good suggestions, and coming nearest to the heart of this question. He had listened to the speeches of hon. Gentlemen, not only amongst his own friends, but speeches from Gentlemen with whom he did not act, and with whom he did not ordinarily agree. The hon. Member for Huddersfield had made a most remarkable speech drawn from rich stores of knowledge, and he ventured to say that it struck at the whole root of the proposal which the Government had asked them to adopt. The hon. Member for Merthyr Tydvil also made a speech earlier in the evening, which, although there was a great deal in it with which he could not agree, pointed in the same way to the inefficacy of the remedy which the Government had proposed as a cure for the evils of intemperance, and the

possibility of making people sober by any measure of prohibition, and the necessity, referred to by the hon. Member for Huddersfield and which the Opposition had tried to press on the House, of devoting attention not to suppressing these evils in isolated districts by small majorities, but by establishing more wholesome businesses throughout the length and breadth of the land wherever these were required by the necessities and convenience of the people. The discussion had turned on the question whether they were to indicate to the country and future Parliaments their opinion that at the expiration of the time-limit licences should be subject to the operation of local veto. He asked the Government why they had selected certain licences as licences which were to be subjected to this local veto, and on what grounds they excluded others, the evils arising from which were admitted on all hands, though they might, just as the ordinary on-licence did in many cases, serve a very useful and a harmless purpose. If the remedy was good in one case it was good in the other; if it was bad in one case, it was bad in the other. The action of the Government was wholly inconsistent in itself, wholly inconsistent with what they had been told the previous day; it was unexplained, he believed, because it was inexplicable to themselves, or by any reason which could be given either in the House or in the country.

SIR THOMAS WHITTAKER said that when the First Commissioner of Works was speaking he had asked him what was the reason for putting Paragraph (b) in his Amendment on the Paper, but he did not feel that the explanation of the right hon. Gentleman was at all satisfactory. This was an instruction at least fourteen years ahead to future Parliaments as to what they were to do. Now, he quite agreed that it was essential that there should be no misunderstanding that at the end of the time-limit, fourteen years hence, the nation should be at full liberty to deal in the freest and most extensive manner with all licences, and he was ready to assent to the insertion of such an intimation as might be necessary for that purpose. In subsection (2) of

*Mr. Austen Chamberlain*

Clause 3 there was an indication that Parliament should be free to enact prohibition, or other methods of reducing licences; but in the Amendment which the right hon. Gentleman had now on the Paper nothing was said about prohibition; it was merely a matter of reducing, or retaining licences as they were. It not being necessary to put in prohibition, it was perfectly clear that it was felt that Parliament in the future would have the fullest power, and that there might be prohibition. But the right hon. Gentleman said that he anticipated that at the expiration of the time-limit, when they would have full control and freedom, there would be methods of dealing with the trade of which nobody now dreamed. If that were so, why should they do anything which would limit it in this kind of way? If it were necessary to give this notice of any of these various ways of dealing with the trade to which the right hon. Gentleman referred, surely in this Paragraph (b) they ought to give notice of all of them. If the notice were required at all it ought to be notice of all of them. It ought to have its full scope, and if they only gave notice of some of them surely that was limiting the law. It appeared to him that this Paragraph (b) was not necessary. It was not necessary to intimate to future Parliaments what they ought to do at all. They would have the fullest liberty, and there was no necessity to have anything of the kind. He entered the strongest protest against this Paragraph (b) being left in, as Paragraphs (a) and (c) covered the full ground. No substantial reason whatever had been given for its inclusion, and he thought that even now they ought to insist that the paragraph should be dropped out, as there was no necessity for it.

VISCOUNT CASTLEREAGH (Maidstone) said he had listened with interest to the speech of the right hon. Gentleman who had just sat down, and also to that of the hon. Gentleman the Member for the Appleby Division of Westmoreland, and he could only say that it appeared to him a very curious thing that these gentlemen who claimed to be the advocates of temperance should be so singularly immoderate in their dealing with other people's property, and other people's liberties. He noticed also, in

the speech of the hon. Member for Appleby, that he was desirous of prohibiting hon. Members from travelling abroad, and satisfying themselves as to what went on in localities there. [Cries of "No."] He thought that was what the hon. Member said.

\*MR. LEIF JONES: No; I should be very glad if the noble Lord would go abroad.

VISCOUNT CASTLEREAGH thanked the hon. Member very much, and said he could assure him that he had been abroad, and on this subject had had as many opportunities of satisfying himself as the hon. Gentleman himself. He had heard no reason of an adequate character that afternoon in favour of this local option or local veto. They had heard various instances of how local veto had been put into operation, and he did not think in one single instance could it be claimed to be successful. They had often discussed the question of local veto in this House. It had been discussed for forty-four years. An academic vote had been given, but the discussion had been of the most unsatisfactory character, and he ventured to join issue with the hon. Gentleman in saying that the people of this country were in any way unanimous in their views as to local veto. The last time it was put before the electors was in 1895, and, notwithstanding all that the late Chairman of the Labour Party had said, he was convinced that the people of the country gave their decision emphatically against it, and he believed that would hold good to-day. Hon. Gentlemen put forward the question of local veto on the grounds of "trust the people," but he ventured to disagree with the suggestion altogether, because it was not a case of trusting the people. If the people would only do what the temperance faddists on the other side of the House desired they could have their way, but if they desired, on the other hand, perhaps to increase the number of licences, then they were not, under any circumstances, to be allowed to do so. He certainly thought that the situation that had arisen to-day was one of the most astounding character. They heard that the



most severe criticism of the Bill since the debates upon it had been opened in the House. They had listened to speeches from earnest temperance reformers, who, like the hon. Gentleman who had just sat down, had experience and observation behind them, and who had shown that the one thing that this Bill aimed at—temperance—was not being achieved by any clause in it. The hon. Gentleman who had just sat down had said that the Amendment which had been moved was inadequate, and gave no opportunity to anyone except those who were for absolute prohibition. But it did not give them a chance. The right hon. Gentleman had said not a word upon the Amendment which he had brought in. If this Amendment was to be moved at all, and if the principle of local option was to be embodied in the Bill, it certainly ought to have been supported by some reason from the right hon. Gentleman. The hon. Member for the Appleby Division attempted to give some reason why local option should be incorporated in principle in the Bill. The hon. Member had been impressed with the effect of local option in Canada, the United States, New Zealand, and Norway, but the hon. Member for Woodstock had made it perfectly clear that he did not find that prohibition in Norway had been effectual in reducing the number of cases of drunkenness.

MR. BENNETT: I laid stress on the fact that prohibition was effective in sparsely-populated districts.

SIR GILBERT PARKER contended that prohibition applied to the national life of a country would not be effective. The hon. Member had said it was effective in a sparsely-populated district, but here we had a small island, the smallest country in the hemisphere, with a crowded population, and the proposal before the Committee was an attempt to introduce into this small geographical area a system of stopping intemperance by local option. It was not effective in Norway. It had not been effective anywhere where it had been tried. In the areas in Canada where it had been tried drunkenness was greater than in parts where prohibition did not exist. In

Prince Edward's Island one person in every 341 was convicted of drunkenness. In Ontario one in every 128. There was no local option in Ontario. Wherever it had been tried in Ontario under the Scott Act it had been a failure. What had been noticed in Australia, New Zealand and Canada, was that the spirit of evasion which had been engendered by the introduction of local option—the desire to evade the law—had deteriorated the moral character of the people in the areas where it had been applied. One of the mayors in New Brunswick, speaking to the City Council in Moncton, said that the law should be better carried out; that it was quite apparent that the consumption of liquor in the city was on the increase and drunkenness was very prevalent, especially among youths; that most bar-rooms remained open night and day, and that no attempt was made to stop that state of affairs. That was in a district where local veto had been applied. As the hon. Member had said, in urban areas local option did not succeed. It was easy to make it succeed in sparsely-populated districts. There was no temptation to drink there. The rules of life in such districts were much healthier. The habit of drinking sprang from a fundamental want in the lives of the people who lived under hard conditions. If a temperance measure was intended by the Government the Bill should have contained a far wider system of local option than was contained in this Amendment—an Amendment which had not been supported by a single argument on the part of the right hon. Gentleman who moved it. He did not believe that local option would be beneficial to this country, but the Government did, and had brought in this Amendment to embody it in the Bill. The national character of a people was not often affected by legislation, but if it was, it would be affected deleteriously by legislation of this character. If any effect was to be produced at all by temperance legislation the effect should be the strengthening and the development of the best qualities of the local life of the people. Where local option had been tried it had resulted in deteriorating and destroying to a considerable extent the quality and efficiency and simplicity which ought to belong to the lives of the

*Sir Gilbert Parker.*



people. He thought this Amendment had defeated itself in the opinion of the House, and if it was supported in the lobby it would only be by the assistance of the Government Whips and not because those who sat in the House were convinced of its utility or manliness.

**LORD WILLOUGHBY DE ERESBY** (Lincolnshire, Horncastle) said that, as he understood this Amendment, if it were carried it would put into the hands of a locality the power to close the public-houses if they obtained a two-thirds majority, but that if the Licensing Commissioners were willing they might grant licences to hotels. That meant that the rich would vote for the closing

of the public-houses, and the hotels which they used would be kept open.

And, it being half-past Seven of the Clock, the **CHAIRMAN** proceeded, in pursuance of the Order of the House of the 17th July, to put forthwith the Question on the Amendment already proposed from the Chair.

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question put, "That those words be there added."

The Committee divided :—Ayes, 295 ; Noes, 135. (Division List No. 270.)

### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Adkins, W. Ryland D.  
Agnew, George William  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Armstrong, W. C. Heaton  
Ashton, Thomas Gair  
Asquith Rt. Hn. Herbert Henry  
Astbury, John Meir  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sr John E. (Somerset)  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Beck, A. Cecil  
Bell, Richard  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bertram, Julius  
Bethell, Sir J. H. (Essex, Romf'rd)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Brace, William  
Branch, James  
Brigg, John  
Bright, J. A.  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Buckmaster, Stanley O.  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hn. Sydney Charles  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Cawley, Sir Frederick  
Channing, Sir Francis Allston

Cherry, Rt. Hon. R. R.  
Churchill, Rt. Hon. Winston S.  
Cleland, J. W.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Corbett, C. H. (Sussex, E. Grinst'd)  
Cornwall, Sir Edwin A.  
Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Craig, Herbert J. (Tynemouth)  
Crossley, William J.  
Curran, Peter Francis  
Dalziel, James Henry  
Davies, Ellis William (Eifion)  
Davies, M. Vaughan (Cardigan)  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dilke, Rt. Hon. Sir Charles  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Dunn, A. Edward (Camborne)  
Dunne, Major E. Martin (Walsall)  
Edwards, Clement (Denbigh)  
Ellis, Rt. Hon. John Edward  
Erskine, David C.  
Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Fiennes, Hon. Eustace  
Findlay, Alexander  
Foster, Rt. Hon. Sir Walter  
Freeman-Thomas, Freeman  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gill, A. H.  
Gladstone, Rt. Hn. Herbert John  
Glen-Coats, Sir T. (Renfrew, W.)  
Glover, Thomas  
Goddard, Sir Daniel Ford

Gooch, George Peabody (Bath)  
Grant, Corrie  
Greenwood, G. (Peterborough)  
Grey, Rt. Hon. Sir Edward  
Guest, Hon. Ivor Churchill  
Gulland, John W.  
Gurdon, Rt. Hn. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Hall, Frederick  
Harcourt, Rt. Hn. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardie, J. Keir (Merthyr Tydvil)  
Hardy, George A. (Suffolk)  
Harmsworth, R. L. (Caithn'ss-sh)  
Hart-Davies, T.  
Harvey, A. G. C. (Rochdale)  
Harvey, W. E. (Derbyshire, N. E.)  
Haslam, James (Derbyshire)  
Hazel, Dr. A. E.  
Helme, Norval Watson  
Hemmerde, Edward George  
Henderson, Arthur (Durham)  
Henderson, J. M. (Aberdeen, W.)  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon., S.)  
Higham, John Sharp  
Hobart, Sir Robert  
Hobhouse, Charles E. H.  
Hodge, John  
Holland, Sir William Henry  
Holt, Richard Durning  
Hooper, A. G.  
Hope, W. Bateman (Somerset, N.)  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Hudson, Walter  
Hyde, Clarendon  
Isaacs, Rufus Daniel  
Jackson, R. S.  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Johnson, John (Gateshead)  
Johnson, W. (Nuneaton)  
Jones, Sir D. Brynmor (Swansea)  
Jones, Leif (Appleby)  
Jowett, F. W.

Kearley, Sir Hudson E.  
 Kekewick, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Maddison, Frederick  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)

Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Redmond, William (Clare)  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradf'rd)  
 Robertson, J. M. (Tyneside)  
 Robinson, J.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Stanger, H. Y.

Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Stuart, Sames (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Ward, W. Dudley (Southampton)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannans)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid.)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westboughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr  
 Joseph Pease and Master of  
 Ebbank.

## NOES.

Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn. Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Barnard, E. B.  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Belloc, Hilaire Joseph Peter R.  
 Bignold, Sir Arthur  
 Bottomley, Horatio  
 Bowles, G. Stewart  
 Bridgeman, W. Clive

Brotherton, Edward Allen  
 Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc)  
 Chaplin, Rt. Hon. Henry  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.

Collings, Rt. Hn. J. (Birmingham)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)

Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd)  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheff'ld)  
 Hunt, Rowland  
 Kennaway, Rt. Hon. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lowe, Sir Francis William  
 MacCaw, William J. MacGeagh  
 MacArthur, Charles

M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, A. E. W. (Coventry)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Oddy, John James  
 O'Kelly, James (Roscommon, N)  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Ridsdale, E. A.  
 Roberts, S. (Sheffield, Ecclesall)  
 Ropner, Colonel Sir Robert  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sassoon, Sir Edward Albert

Scott, Sir S. (Marylebone, W.)  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hn. J. G. (Oxf'd Univ.)  
 Thomasson, Franklin  
 Thomson, W. Mitchell (Lanark)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Warner, Thomas Courtenay T.  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

The CHAIRMAN then proceeded to put  
 forthwith the Question necessary to  
 dispose of the Business to be concluded  
 at half-past Seven of the Clock this  
 day.

Question put, "That the Clause, as  
 amended, stand part of the Bill."

The Committee divided:—Ayes, 301;  
 Noes, 131. (Division List No. 271.)

### AYES.

Abraham, William (Rhondda)  
 Acland, Francis Dyke  
 Adkins, W. Ryland D.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hn. Herbert Henry  
 Astbury, John Meir  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barry, Redmond J. (Tyrone, N)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bell, Richard  
 Bellairs, Carlyon  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bertram, Julius  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.

Brace, William  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Channing, Sir Francis Allston  
 Cherry, Rt. Hon. R. R.  
 Churchill, Rt. Hon. Winston S.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)

Crossley, William J.  
 Curran, Peter Francis  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.

Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Helme, Norval Watson  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)

Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stadord, W.)  
 Maddison, Frederick  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morse, T. L.  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hon. A. C. (Kincard.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Redmond, William (Clare)  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradford)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowden  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)

Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Stanger, H. Y.  
 Stanley, Hon. A. Lyulph (Chesh)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Ward, W. Dudley (Southampt'n)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hon. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.



## NOES.

Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn. Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond)  
 Banbury Sir Frederick George  
 Banner, John S. Harmood-  
 Barnard, E. B.  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Belloc, Hilaire Joseph Peter R.  
 Bignold, Sir Arthur  
 Boland, John  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)

Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd)  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Hunt, Rowland  
 Kennaway, Rt. Hn. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S)  
 Lowe, Sir Francis William  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, A. E. W. (Coventry)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Oddy, John James

O'Kelly, James (Roscommon, N.  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Samuel, S. M. (Whitechapel)  
 Sassoon, Sir Edward Albert  
 Scott, Sir S. (Marylebone, W.)  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Talbot, Rt. Hn. J. G. (Oxf'd Univ.)  
 Thomson, W. Mitchell- (Lanark)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Warner, Thomas Courtenay T.  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

## Clause 4 :

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) moved to omit subsection 1. The object of the subsection was to give discretionary power to licensing justices to extinguish licences over and above that required to be compulsorily done by the Bill, subject to the financial provisions. The financial provisions were that before the licensing justices could do this they had to get the consent of the Licensing Commission, and also that the Licensing Commission should not give their consent unless they kept the total of the compensation levy at rates not more than those mentioned in the second schedule. He entirely objected to any com-

pulsory reduction at all. The Act of 1904 was acting extremely well, and was fulfilling the purpose for which it was passed, namely, to give discretion to the justices in their own district, subject to Quarter Sessions, to reduce licences where they thought they were redundant, and if they extinguished licences to give due and proper market value. This extra reduction could only be carried out by an extra payment by the Licensing Commission if they had satisfied all the sums they had to pay out to fulfil the statutory reduction. If they made this extra payment they would make it at the expense of other districts in England and Wales, because if the amount was kept up to the total compensation levy



in Schedule 2, the only monies which they would have to dispense would be the balances after they had met their statutory obligations. He should like to ask the Prime Minister whether he could give any calculations as to the amount of balances they anticipated. Were they anticipating that the compensation levy would be kept up to this maximum, because the amount of compensation which they would have to pay when the licences were extinguished would be far less than was being paid at present, because there was a reduction period. Every year the payments which they would have to make would be less, because they were only to pay the purchase value of the annuity, and, therefore, the less number of years the less the money which they would have to pay. He expected the Government were anticipating that the Licensing Commission would have large balances to dispose of. How were they going to dispose of them? Were they going to grant the application of some licensing benches to avail themselves of this section and reduce beyond the statutory obligation? Had the Government calculated the amount of compensation which would have to be paid? The estimate was that, taking the average of the reduction period, it would only be about one-fifteenth of that payable under the Act of 1904, and for the first year the calculation was that it would be about one-fifth. He had fourteen actual cases which had been compensated under the Act of 1904, and the average per licence worked out at £1,076. If the principle of the Bill had been in operation the average per licence would have been only £69 10s. The Government were, therefore, going to have large funds in hand. What were they going to do with them? Were they going to keep up the compensation levies? They ought not to do it. The compensation levy ought to be reduced as the period of reduction lapsed, and they ought not, so to speak, to force the pace and allow more money to be spent. There was another way in which they would be able to dispose of these licences. Under Clause 9 a further reduction could be carried out by Resolution for Wales, and it might be that the Government would have demands

upon them to meet large payments for Wales. Were these payments to be made out of monies contributed from England? It would be a very great grievance to the licence-holders in this country to have to pay over to the compensation fund to compensate other districts. At the present moment they had not to do that. They knew that the monies they paid every year went to reduce licences in their own districts, and to a certain extent they got compensation, because the trade was supposed to improve in that district by the licences being extinguished; but it would not be so in this case. The compensation levy had to be levied over the whole of England and Wales at the same rate, to be paid into one fund, to be under the absolute discretion of the Star Chamber of Three sitting in London, who knew nothing about the circumstances of the district. That was very different now when Quarter Sessions and the local justices knew what the districts required. The Prime Minister had said he would place on the Paper either on Clause 7 or Clause 24 some Amendments to meet the case of the new licences granted under the Act of 1904. He did not see any such Amendment as that which had been mentioned on the Paper. Clause 7 would be reached on Wednesday, and therefore, the Amendment should be put on the Paper this evening. This clause would apply to the new licences granted under the Act of 1904 which would be included under the regular statute. He wished to remind the Committee what a very strong case these new licences had. A letter from the managing director of a large brewery company had been placed in his hands. The writer said—

“I should be much obliged if you could tell me how the Government proposes to treat licensees who obtained their licences under the 1904 Act. My company paid £8,000 only last autumn. I have seen the Solicitor-General, and his reply was that the authorities have no right to value on a ninety-nine years' lease, the licence being annual. But they have stuck to the £8,000.”

There were 164 cases in which capital sums had been paid down and accepted as monopoly value, and all these new licences would be caught by this clause. These sums had been accepted because

*Mr. Samuel Roberts.*

the licence had been regarded as a continuing property. There could be no stronger argument than the case of the general belief in the continuity of licences in the eyes not only of the magistrates, but also of the trade and the general public. Under the Act of 1904 justices, brewers, and other people had paid these sums for licences because they all regarded them as a continuing property. A man would not have paid £6,000 down last autumn if he thought his property was going to be confiscated. He urged that whatever happened to other on-licences, these new licences granted under the Act of 1904 ought, at all events, to be excepted from reduction under the clause.

**Amendment proposed—**

“ In page 3, line 23, to leave out subsection 1.”—(*Mr. Samuel Roberts.*)

**Question proposed, “ That subsection 1 stand part of the clause.”**

**THE SOLICITOR-GENERAL** (Sir S. EVANS, Glamorganshire, Mid.) said the hon. Member had referred to cases in which the magistrates had levied a lump sum for monopoly value. That was a matter which was receiving the attention of the Government, but obviously the place to deal with it was on Clause 24, which would not be reached this week. Such cases were not included in this clause for any practical purposes. They were post-1904 licences and were not subject to compensation at all. The whole question raised by the Amendment was whether or not the number of licences to be reduced as fixed by the schedule was the minimum number or ought to be the maximum. The policy of the Government was that it was to be the minimum, and that if in any case the justices came to the conclusion that the circumstances of the locality would justify further reduction, they could reduce further subject to this, that if the reduction was in the number of licences which would be entitled to compensation, the discretion of the justices was fettered by the amount of money in their hands. The policy of the Government was to give discretion, subject to financial considerations, to make further reduc-

tions over and above the reduction made compulsory under Section 1.

**SIR E. CARSON** (Dublin University) complained that whenever the Opposition raised a point which was perfectly germane to the section under consideration they were told they ought to wait until they came to some other clause. If they pointed out that it was impossible to deal with a point without knowing what the intentions of the Government were, they were always told that if they waited for some other clause they would see an Amendment. That was an unreasonable and impossible way to carry on business. It was bad enough for the trade to know that so many thousands of houses were to be taken away every year, but were the Government going to add to the uncertainty by saying there were so many more thousands to be taken away? In every one of these matters the Government were proceeding absolutely in the dark. Whenever they were asked for information on any point they had none to give. They talked glibly about the power of companies to put by sinking funds, but when they asked for the figures the Government refused them. They knew perfectly well that that argument on the figures necessary for the sinking fund was based upon the majority behind the Government. When they asked for some calculation as to what sum would be available under certain circumstances for the extinguishing of those licences the reply of the Government was: “ We do not know anything about it, and how can we give the figures? ” If the Government compared their methods of compensation with that adopted under the Act of 1904 they could get at an approximate figure. They would not, however, do this, and they referred to leave the House without any information, and anything seemed to be good enough when they had the guillotine. That was the way they argued, and it did not matter whether there were 100 public-houses here or there. When the Government were asked for information about this clause their reply was that they had no information whatsoever to give. How did the financial provisions, as they affected this clause, stand? The compensation levy, as he gathered from the Bill, was

Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Helme, Norval Watson  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)

Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stadord, W.)  
 Maddison, Frederick  
 Mallet, Charles E.  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morse, T. L.  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hon. A. C. (Kincard.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Russell (Gloucester)  
 Rea, Walter Russell (Scarboro')  
 Redmond, William (Clare)  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradford)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)

Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Stanger, H. Y.  
 Stanley, Hon. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliff)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Ward, W. Dudley (Southampton)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hon. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid.)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

where licences were abolished because they were not required. Thus, in Northumberland, which had one licenced house to every 500 of its population, practically no reduction would be made under the compulsory clause, but the money taken from that county would go to compensate for the reduction of houses in Cambridgeshire where the proportion was one licensed house to 133 of the population, and that notwithstanding the fact that the convictions for drunkenness in Northumberland averaged one for every sixty-two of the population, while in the county of Cambridge the proportion was one to 333. They were going to take away money from a county where there was a great proportion of drunkenness to compensate for the abolition of houses in a county which had nearly the least proportion of convictions for drunkenness. This clause intensified the injustice done by Clause 1, and its absurdities were even greater than those of the first clause of the Bill. He submitted that the Government ought to stop at the reduction which was outlined in introducing the Bill, and not attempt by this side wind in Clause 12 to introduce this further reduction compulsorily. [An HON. MEMBER: "Not compulsorily."] It was compulsorily. He did not think hon. Gentlemen had noticed the words in Clause 12. Once the justices in any part of the country proposed a further reduction, then if the Commission had money enough to pay compensation, the reduction would be made and it must be passed by the Commission. [An HON. MEMBER: Hear, hear.] That was his argument. It was compulsory on the Commission. [An HON. MEMBER: Not on the justices.] No; he should be astonished to find that there was not in any part of the country a bench of magistrates which would propose a further optional reduction on the lines of this clause, and, if so, the compulsion was sure to become operative. The effect of the clause was that if in any county or parish, although not being in Wales, the justices desired to introduce total prohibition during the reduction period, and if they put their case before the Licensing Commission and there was money enough, the Commission must pass it, so that indirectly they were introducing popular prohibi-

tion. He could not conceive that the proposal in the Bill had been fully considered by those who framed it.

MR. JAMES HOPE (Sheffield, Central) said the Solicitor-General had entirely failed to meet the contention of his hon. colleague. The contention was that under the financial proposals of the Bill there would be a substantial balance in the hands of the Licensing Commission. Did he understand the Solicitor-General to admit that there would be this large balance or not? Had he worked out the proposal? Those who had approached the matter from the Opposition point of view had worked it out to the best of their ability, and they said that there would be. There was a probability that there would be a large balance. Apparently the Solicitor-General was in doubt as to the effect of the proposal. Assuming that there was a large balance, how was the Licensing Commission to deal with it? Apparently under the subsection of Clause 12, to which his hon. and learned friend had referred, they would be obliged under local veto to comply with the demands for further reduction, amounting perhaps to total prohibition, if there were funds in hand. Were the Commissioners to satisfy the demand of each bench of licensing magistrates in the order in which the demand was received, or would they wait until they had reports from every county? On what principle would they act in the financial arrangements between one locality and another? What was the operation of Clause 9? Would Wales have priority? He was not at all sure that they ought. They had heard that the county which the hon. and learned Solicitor-General represented was the most drunken in Wales, that there the proportion of convictions for drunkenness was greatest. Supposing that a proposal for a reduction came from Glamorganshire, would that be binding on the local licensing magistrates? Whether the bench had been sufficiently strengthened under the present Government he had not inquired. At any rate, would it be mandatory on them to put forward a scheme for further reduction? Under this scheme would they have a priority over the other recommendations in England or other parts of Wales which



were not supported by local option? He asked the Government on what scheme they could justify the taking of the compensation levy, say in Sussex or Sheffield, for the reduction of licences in this one specially inebriate county of Glamorgan?

MR. CHARLES ROBERTS (Lincoln) thought that the power of optional reduction was an extremely valuable one to retain in the hands of the local licensing justices. For the justices to have an additional power of control would be as valuable as the reduction itself. It was not so much the quantum of the reduction as the power of control that was desirable, and that power should be in the hands of the local justices. The hon. and learned Member for Kingston had told them that in Northumberland there were very few licences in proportion to population, and that yet there was a very high record of drunkenness, and he compared that county with Cambridge. But he thought that any one who looked at the matter would see that there were differences between the two counties. In the one there was a scattered population, engaged in agriculture, drinking beer, and in the other there was a mining community with higher wages drinking spirits. It was said that the fund should not be spent in a district where the compensation levy was not made; but it made no difference to licence-holders whether the levy was spent thirty or forty miles away, or 300 miles away. Even at the present time compensation funds raised in one district were spent in another, and no further injustice would be done under this Bill than under the Act of 1904. He did not admit that it was an injustice, for after all the legislation was for the benefit of the nation as a whole, and the funds should be raised by a national levy.

\*MR. G. D. FABER (York) said it was rather amusing to hear the changes in the cries of the supporters of the Bill. In the afternoon the cry was: "Great is local option and the right of the people to over-ride the justices." That evening it was: "Great are the licensing justices with unfettered discretion." The day after to-morrow it would be: "Great is the Licensing Commission,

*Mr. James Hope.*

for they are to over-ride everybody." All that proved the unreality of the Bill. The main purpose of the debate that night was to trot out the licensing justices and belittle Quarter Sessions. It had been said that the clause had been framed that it would operate in favour of giving elasticity to the discretion of the local licensing justices; but the elasticity worked only in one direction. If they were going to give the justices power optionally to reduce or to increase the licences then there would be something in the argument for elasticity. What the hon. Member imagined to be elasticity was only power of compression. He should regard this clause with the greatest possible concern and alarm were it not for the financial limitation proposed in Clause 12. He admitted that subsection (3) of that clause screwed down the power of the justices to a certain extent. It said that optional reduction could not go on unless the compensation levy was sufficient to meet it. But under Schedule 2 the rate of levy was so high, and under Clause 10 the compensation was so ludicrously low, that there might be a very large surplus after the compensation provided for under this clause was paid.

There was great force in the question of his hon. friend the Member for Sheffield: "Who is going to have the preference?" Perhaps if the Solicitor-General had any say in the matter, gallant little Wales would come in, for Wales under Clause 9 of the Bill was to have the out and out power, not only of statutory reduction, but of doing away with licences altogether. Much money would be wanted for that purpose, and the Solicitor-General would be neither more nor less than himself if he failed to put forward the claims of Wales before those of any other section. He did not know whether the commissioners would contain within themselves all the elements of prescience and wisdom, but they would have a very difficult task to perform.

Whether any of these points had been thought out by the Government he did not know, but he rather doubted it, as they were going



on from day to day in a haphazard manner, and what was done one day was undone the next. No doubt the worse the predicament which the Government got into with regard to the Bill the better for those who said it was a bad Bill—badly thought out, a Bill which did not tend to temperance, or anything else worth having by the people of this country. He hoped the Government would give them some serious reason for having brought in this clause at all. He ventured to think it was a mere figure head only intended to enable the Government to say to those who supported the plenary power of the licensing justices: "See what we did for you under Clause 4. We have given you these extraordinary powers." The clause only illustrated the fact that the Bill was a jumble of incongruities and impossibilities in favour of which the Government had not been able to produce any argument.

MR. JOHN WARD (Stoke-on-Trent) said there was one point upon which he could heartily agree with the hon. Member for York, and that was that the debate on this point to-night was an absolute farce. That was perfectly true. The method in which the subject had been dealt with and the lackadaisical manner in which he approached the subject plainly showed that the discussion was more for the purpose of sheer obstruction than for elucidating the particular clause under discussion. They were given to understand that hon. Gentlemen were very much interested in the discretion of the magistrates, and they protested that under certain circumstances they would have no option. He was rather afraid that at present that was much the position of affairs. He for the first time attended a private meeting of the Petty Sessions at Wandsworth, and when the Minutes were read, the first Minute on the book read out by the chairman was to the effect that Petty Sessions had reported some sixteen licences which they thought were redundant and useless. Everybody agreed that the houses ought to be closed, but the Compensation Committee of Justices of the County of London had reported that Petty Sessions must grant

eleven of these licences, as there were sufficient funds to deal with only five of them. He had hopes that some day a different power for the reduction of licences would be required, and under those circumstances he could quite understand how all temperance reformers were giving their most united support to this Bill. There might be points upon which they differed with regard to its application, but so far as its general principle was concerned, and the general principle of this main clause, they entirely agreed with it. He hoped they would have power given to the Licensing Commission to borrow money to make loans in order to provide for the rapid extinction of licences by optional reduction, and thus enable the Petty Sessions in many cases to make proposals for reduction far in excess and much more rapidly than was suggested by the schedule of the Bill. He could quite understand those who opposed the Bill saying that everything had been done that could be done by grandmotherly legislation to improve the position of affairs. He could quite understand that it was their business to obstruct this Bill in every way that they could, and if he held their opinions he should do the same; but the way in which they were endeavouring by mock heroics to convince the outside world that they were really debating the subject and wished for information was one of the most grotesque things he had seen for some time. They might convince themselves—he supposed people could convince themselves that they really did believe a thing—but he felt certain that they would not succeed in convincing anyone else that they were honest, especially in the obstructive tactics that had been adopted that evening. He gave the Bill what little support he could as he thought it was a step in the right direction. It was the first opportunity he had had of saying anything during the whole of the discussion, and in reference to this section also he gave it his hearty support.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) said he had sat through most of the debate as a silent spectator, and had had as much opportunity of

not to be in proportion to the number of houses to be statutorily reduced. They could fix the maximum under this Bill, but that might not be required for the purposes of the statutory reduction at all, and it might be put there to accumulate a fund to take away extra houses. Surely before they passed a provision of that kind giving this power of taxation to the licensing justices, and giving these extra powers to the Licensing Commission which was to sit in London and have jurisdiction over the whole country, they ought to know something of the amount that would be required. Surely they ought to have some estimate made by the Government of the amount of money required for that purpose. They were being asked to pass this clause absolutely blindfolded, without knowing a single one of the elements that would enable them to come to any conclusion as to whether they ought to allow the clause to pass. The House had been told earlier by the First Commissioner of Works that he did not know the meaning of his own Amendment; now they learned that the Government had made no attempt to ascertain the financial effects of its scheme. So the matter went on, and the only answer that the Opposition could get from the Government was: "Don't you bother; we have got our majority, and it is only the licensed trade with which we are dealing."

\*MR. CAVE (Surrey, Kingston) said that hitherto the clause had been dealt with as being optional in character, but if it were read in conjunction with Clause 12 it would be seen not to be so. Together the clauses meant that if, after payment had been made for licensed houses abolished under the scheme for statutory reduction, a balance remained in hand, that balance must be applied to a further reduction in the number of houses. The result would be that instead of 30,000 licensed houses being abolished, as calculated by the Prime Minister, the number might be 40,000 or 50,000. The Bill instead of reducing licences by one-third would have the effect of reducing them compulsorily by a very much larger number. That was the effect of the Bill, whatever might be the intention of the Government. That being so, he submitted that the

Committee were entitled to know what amount was expected to be available for this purpose. If the balance must be applied to a further reduction, they ought to know what the balance was expected to be and how many more houses were expected to be abolished during the reduction period. The Prime Minister had given an estimate, but he was pointing out that the number would in all probability be greatly increased. The giving of that indication might involve a calculation of what was the average amount to be paid for each house. He submitted that the calculation ought to be made. The scale under the Bill was a reduction on the old scale, the reduced sum amounting, some said, to a fourth, a sixth, a tenth, or a fifteenth of the amount payable under the Act of 1904. Figures had been given in support of that view, and no answer had been given by the other side. It seemed to him to be vital that they should have some material to enable them to judge the average amount of compensation under the Bill, the amount that would be available for compensation, and as a consequence the amount that must be applied under this clause for further reduction. The clause brought under the operation of this unfair scale a large number of houses. If a further reduction were to be made under the old system, it would not be so serious, but the effect was to bring under a grossly unjust scale a very much larger number of houses. The effect of the lower scale would be that a number of the houses suppressed would get nothing at all, or practically nothing in the way of compensation. Therefore, the clause in effect had for its purpose the putting of grave injustice on a number of holders. Another point was that not only under the statutory reduction was one part of the country to pay for another, but that was so also under this scale of optional reduction. In counties where an effort had been made—and there were many such—to keep the number of houses within limits which were thought to be required by the population, a levy would still be made on the remaining houses and a certain amount of that sum would go to compensate houses in another county or perhaps at the other end of the country

*Sir E. Carson.*

before him. He held that the words "compulsory reduction" were a misuse of the phrase in the sub-clause. The reduction was not compulsory, but purely discretionary in the local justices. What was compulsory, no doubt, was that after that discretion had been exercised by the justices, and they had determined what was called in the sub-clause "optional reduction," then, if there was a sufficient amount of money in the hands of the Licensing Commission—having regard not only to the claims made upon them, but to claims in the future—they were to give the necessary money towards carrying out the reduction. Surely it was better, after they had made a right rule to some extent, to be able to say that that rule in certain cases could be relaxed. If that were so, what better could they do than allow the local justices to determine the matter themselves? As to the question whether Wales was specially favoured, that could be discussed at the proper time. Of course, there would be nothing in the nature of priority. The Licensing Commission would have to take the general view all over the country, and although it was impossible to state the amount they hoped and believed that the Commission would have at their disposal some funds which would enable the optional reduction spoken of in this clause to be effected. As to the injustice of taking money out of one county and compensating in another, the fund under this Bill was a national fund. Under the Act of 1904 it was a county fund, and had to be so administered; but, although they had been long accustomed to the division into counties there was no particular charm in the division into counties for this purpose. It made very little difference whether money taken from one corner of a large county like Glamorganshire or some of the divisions of Yorkshire was used for compensating a licence-holder in the opposite corner, or whether it was used for compensation in another county. The position of the Government was that this was not the money of the publican at all. It was in the nature of taxation, and everybody knew that the trade had been able to stand the levy made under the Act of 1904, and would be able to stand the levy made upon it after this Bill became

law. It was money in the nature of taxation, and was properly regarded as national money, and it would have to go into the national Exchequer. It had been said in the course of debate that the number of convictions for drunkenness in Glamorganshire was very large. That was true. But it must be remembered that the population of Glamorganshire was of a most varied character. There were men there from all parts of the world, and in the great industrial centres no doubt a good deal more drinking took place than one liked to see. But the number of convictions for drunkenness was not necessarily a test of the amount of drink consumed. He knew that in Glamorgan it was due not to the drunken habits of the people, but to the vigilance and activity of both police and magistrates.

SIR F. BANBURY (City of London) said everybody was quite certain that the hon. and learned Gentleman would treat them with every courtesy and consideration, and the Committee were always glad to listen to him, because he always put his case in a clear and lucid manner. The reason why the hon. and learned Gentleman's answers were not satisfactory was not the want of clearness or lucidity, but because he had a bad case, in consequence of which even a gentleman of the hon. and learned Gentleman's great powers was unable to give satisfactory answers to questions put to him. When the hon. Member for Sheffield brought forward his Amendment, he referred to Clause 24, and the hon. and learned Gentleman remarked that the proper occasion to discuss Clause 24 was when that clause was arrived at. He noticed from the table of time allotted to the discussion of this Bill that the clause was to be discussed on the fifteenth allotted day, and that on that day there were fifteen clauses to be discussed. There were, no doubt, persons who desired to create some alteration in a trade which had been carried on for many years in this country under the auspices of the State. They desired to make a great reduction in the number of licences. The Prime Minister had said that one-third of the licences were going to be taken away in fourteen years.

Supposing the hon. Member for Lincoln was the owner of a public-house. He would naturally be interested in this Bill, and having read the speech of the Prime Minister and found that the licences were to be reduced by one-third in fourteen years, he would read the speeches of great advocates of temperance, like the right hon. Member for the Spens Valley, and find that according to them in those fourteen years he would be able, by good business-like discretion, to put by a sufficient sum to recoup him for the loss of his licence at the end of fourteen years. He would further read the speech of the hon. Member for Crewe, and would find that owing to the one-third reduction the remaining licensed houses would do considerably more trade, and that he would also be recouped in that way. He was at a loss to comprehend why hon. Gentlemen, whose pretension was that the Bill was going to promote temperance, cheered the sentiment that it would not promote temperance, but would allow the same amount of drinking to continue as in the past. The hon. Gentleman the Member for Lincoln would, of course, respectably conduct his house. He would read the debate and find to his horror—

**\*THE DEPUTY-CHAIRMAN** (Mr. CALDWELL): Order, order. The hon. Member is not addressing himself to the Amendment.

**SIR F. BANBURY** said he would like most respectfully to point out that the subsection provided for an increase on the statutory number of reductions. It had been generally understood in the country that the reductions amounted to one-third, and it was only by reading the debates and going through the Bill carefully that one came across this subsection, which went further than the statement of the Prime Minister.

**THE DEPUTY-CHAIRMAN** said the impression made on the country was not the matter under discussion. The Amendment dealt with the optional reduction as contained in the clause and not with what the country believed to be the reduction.

*Sir F. Banbury.*

**SIR F. BANBURY** said that he was pointing out that, unless the Amendment stood, the statement of the Prime Minister would be incorrect, though, of course, he would not say he intended it to be so, and the number of reductions would not be one-third but a very much larger number, because optional power would be given to the magistrates to increase the reductions beyond that amount. The Solicitor-General had instanced his own county of Glamorgan, where, he said, the justices were an efficient body of people to whom this optional power could be well entrusted. That would have been all very well if it had not been for the enforced reduction of one-third. If that were not in the Bill, he should have no objection to giving the justices discretion to reduce licences where they were not required, subject, of course, to certain restrictions. He quite agreed that in the majority of cases magistrates were to be trusted; but they had to look at every circumstance, and there were benches composed of gentlemen who were of advanced temperance opinion, and if they saw in the Bill a clause to this effect, they must ask why the optional power was given. The House of Commons, they would say, was a sensible body which legislated reasonably and did not put a clause into an Act unless it was desired that that clause should have some effect. If this optional clause, therefore, was put into the Bill, many would say that Parliament desired that they should reduce the number of licences far beyond the statutory reductions. Hon. Members said there was no harm in that, because compensation would be granted. It had, however, to be remembered that it was always held out to people who owned licences that they would be able to compensate themselves because they would have an extended time. There would not be the extended time to the extent that the optional clause was put into operation. The question had arisen as to whether there would or would not be sufficient money to compensate for licences extinguished under the optional clause, and it had been pointed out that there was the safeguard that the justices could not extinguish licences unless the new Commissioners, the Star Chamber, had the money for compensation. It had been asked where they were



to get the money, and it had been said that there ought to be an abundance of it. That, however, could only be so if the compensation given to the one-third were less than it ought to be. There was an incentive to the Government to put in a clause of this kind, because then, if they reduced the compensation far beyond the proper amount, they would have more money available to provide for the optional reduction of licences. The Solicitor-General at the close of his speech made a remark which he did not understand. He said there was no hardship in this, because it was not their own money. He alluded to a statement made by the hon. Member for Sheffield and said it was not the publican's money. Might he ask the hon. and learned Gentleman this question: With whose money did he pay his taxes? His right hon. friend suggested his clients'. He did not agree. Although it was once his clients', he had earned it, and it was his property. It was the same with the publican. He had earned the money and earned it in a business authorised by Parliament for generations. He failed, therefore, to see how the hon. and learned Gentleman's remarks were relevant. The hon. Gentleman had not a good case and was unable to sustain the attack. He was therefore obliged to commit himself to a statement scarcely worthy of his great reputation. He hoped the Government before refusing the Amendment, would pause and consider whether they had not gone far enough in providing for a reduction of one-third without giving this additional power to the licensing justices.

MR. RICHARDSON (Nottingham, S.) said that, as one who took a living interest in local life and who moved in and out among the people in his own city, he believed that this Bill would do as much good in the interests of real social reform and temperance as any measure that had been passed by this very progressive Parliament. He was specially delighted with this particular clause, and he hoped the Government would stand by it. He had the unenviable reputation of having lived in the famous Market Ward, Nottingham, which was mentioned by the Prime Minister, during the whole of his working life. If the universal and uni-

form principle of the reduction of licences was applied there—it was a ward with 1,400 voters and seventy-nine licensed houses—sixty-nine out of the seventy-nine would be closed during the reduction period of fourteen years. He had found out how often the greatest number of licensed houses in proportion to population were to be found in the most congested areas of a town where the poorest people lived. He had in his city a singular exemplification of that where this optional principle should be applied. They had one ward, which was in the most ancient part of the city, and where the poorest people lived. He would not mention it. They had immediately running side by side with that ward a new ward, part of the city where building operations had been going on for the last fifteen years at a very rapid rate. In that new ward the temperance sentiment was very strong, and the result was that they had prevented many licensed houses being planted there. That was a ward in which they could afford to leave a good proportion of the licensed houses remaining during the next fourteen years, but the other ward where the number of licensed houses was greatest in proportion to population was the one which he should like to be dealt with, to have the number of houses reduced in proportion to population. For this reason, he hoped the optional principle would be applied. What about the case he mentioned last week in which they had a village just outside Nottingham with a population of 11,000 people and only one licensed house? That was the "Trent Bridge Inn" connected with the cricket ground. How were they going to apply the universal rule there? Would they do away with that house altogether? He supported the clause.

EARL WINTERTON said the hon. Gentleman who had just sat down had, although he did not intend it, given strong evidence in support of the contention that the clause should not be passed. The hon. Member began by referring to the famous Market Ward of Nottingham. His observations regarding that ward should have been made on the clause dealing with statutory reductions. He also went on to speak of some other ward near the Trent Bridge



judging as the hon. Member for Stoke, and he did not think that the charges the hon. Member had made were in any way justified by the facts. The debate of that afternoon was of very great importance, and if arguments were pressed and repeated it was because the Government gave no answers to their pertinent and direct questions. Again, with regard to the debate which had taken place in the last hour, his hon. friend the Member for Sheffield and his hon. friend the Member for York had addressed certain pertinent questions to the Solicitor-General, but they had had no reply to them. He appealed to the two hon. Gentlemen whom he saw opposite to him, both of whom were noted in the House for their courtesy and lucidity of argument, to answer two or three questions which had been addressed to them. His hon. friend especially wanted to know whether the compensation money was to be reduced, and if so, to what amount? He did not know whether it was true that the Government had made no calculation in this respect, but he should imagine that there were certain materials available. But perhaps one of the two hon. Gentlemen would tell them whether they had any figures, or say that they did not think it necessary to make any valuation. Then his hon. friend put another pertinent question, which hon. Gentlemen opposite might think it worth while to answer. For his part he thought it would be an interesting answer if they could get it. It was why, if the compensation money was to be reduced, ought not the levy to be reduced at the same time? Then, again, they would like to know what was the estimated amount available for compensation. That was a point of principle which was extremely ably put by his hon. friend the Member for Sheffield. They had no time in which unduly to prolong the debate, and though they could not blame the Government for taking means so that their divisions should be taken with great regularity at certain hours, it was for them to say which point they preferred to discuss, and if they discussed it at greater length than some hon. Members thought reasonable he could honestly assure them it was because they were not satisfied with the answers they had

received. The hon. Member for Lincoln said he valued this optional reduction, and that they having complained in the past that under this Bill they were to be governed by absolutely cast-iron rules as to the number of licences, he should have thought they would have welcomed this optional power which was given to the licensing justices. But this optional power was very much like the so-called local option which the Government proposed under this Bill. They trusted the magistrates in so far as there was local veto or local prohibition, but they did not give the absolute, fair, and open option to the magistrates to say whether there were sufficient licences in the district or whether it was necessary to bring them to a higher level. For himself he thought this clause was quite unnecessary. The Act of 1904 in his opinion was working extremely well, a satisfactory reduction of licences was being made all over the country, and this was being done without any hardship falling upon those who had an interest in the licences. So far as he was concerned, therefore, he objected even to the statutory reduction laid down in the other part of the Bill, and they looked upon this clause as an extra hardship seeing that a further reduction beyond that laid down by the Act might be made, and it was not in the power of the justices to say whether the reductions already made were not too great. He agreed with his hon. friend and therefore differed from the hon. and learned Gentleman as to the justice of taking money levied in one district for the purpose of paying compensation in another. It was certainly regarded as a hardship by the trade. He would not labour the point, as neither he nor his hon. friends desired unduly to protract these proceedings. He thought, therefore, if the hon. and learned Gentleman could reassure the Committee upon the three or four points that had been put to him the progress of the debate would be much accelerated.

SIR S. EVANS said he could not complain of the progress of the debate so far as it had gone, but he had thought it more convenient to speak immediately after the mover of the Amendment, at which time these points were not

*Mr. Akers-Douglas.*

\*MR. CLAVELL SALTER (Hants, Basingstoke) said the hon. Member for Stoke had intervened just now for the purpose mainly, as far as he could gather, of informing the Committee that the debate had degenerated into a farce and that obstruction was being practised, although the Solicitor-General expressly repudiated any such charge against the Opposition. The hon. Member, as he was good enough to tell them, had not previously given them the benefit of his assistance in those debates, but no sooner did the discussion degenerate into a farce than he considered it the proper moment to speak. Although not in the sense in which the hon. Member used the word, there was a good deal of farce about the prolonged debate in which they were now engaged and in which they were doomed to be engaged for so many more days. There was an air of unreality about the whole debate, which he believed was profoundly impressing the people. He opposed the sub-section against which the Amendment was directed, on the short and single ground that it was a crying example of that inconsistency and irresolution which had marked the whole structure and conduct of the Bill. Someone must decide how many licensed-houses there should be in a district. They might leave that to various authorities, they might enact it themselves, or they might leave it to the locality and allow the justices or Quarter Sessions or the general body of the people themselves to represent the public opinion. Again, they might lay down their rule in Parliament and allow local modifications. But, in the name of all that was consistent, if they had local modifications and if they trusted the locality at all, they ought to trust it altogether. Parliament began by laying down a certain ratio to density of population as being the proper number of public-houses within the area. Either that was right or it was wrong. If it was right, if they were confident in their opinion, why did they allow any local interference with the ratio they had laid down. If they thought it right to allow a great voice to local opinion and local discretion, then they must in consistency, so far as that local voice was allowed to interfere, allow it to

interfere freely in any direction it desired. To his mind it was a matter of comparative unimportance whether it was the justices, or Quarter Sessions, or the people who were to revise and modify the ratio which was laid down. But the Government did not trust the justices except in one direction; they did not trust Quarter Sessions, because they were to be deprived of the power the last Act gave them; and they did not trust the people, for in England the people might forbid, but might not demand; while in Wales they were allowed to accelerate but not to retard the process of reduction. What the Bill did in this subsection, was to give power to those local people whose views agreed with those of the promoters of this Bill, while they deprived of power those who differed from them. They gave power to a temperance bench, while giving no such power to the bench which had an opposite view. It had fallen to his lot to appear before a bench of licensing justices, and a fairly numerous bench, every member of which sat on the bench with the blue ribbon of pronounced temperance in his button-hole. That was the kind of bench which was given *carte blanche*, but a bench of a somewhat different view was not trusted and was given no discretion at all. And there was no safeguard in regard to expense, because by the simple expedient of giving to dispossessed persons, roughly speaking, one-eighth of that which justice and equity required they hoped to have a good surplus for optional reduction. Nor was there the safeguard of the Act of 1904 that those who desired to be virtuous should pay for it themselves. This Bill invited cheap virtue and cheap temperance; it invited areas to be exceedingly virtuous at the expense of the publicans among their neighbours. If they were going to allow any local interference with the ratio which Parliament had laid down, whatever authority they might choose to represent the people, they ought, in justice and consistency to allow that authority to exercise that discretion in one direction as well as in the other.

MR. GRETTON (Rutland) said the Government had not given the slightest indication to the Committee as to how

they expected the financial proposals to work out. He could not confess that he was ignorant of that subject, because he had discussed it with many persons who were used to discussing Bills produced by teetotal enthusiasts and Radical Governments. They had tried to extract information as to how these financial proposals would work out in relation to optional reduction. The compensation to be paid under the compensation clauses would be very much lower than the compensation paid under the Act of 1904. That compensation, as years went on, would be paid upon a diminishing scale. What did the Government expect would be done by the Licensing Commission and the magistrates in relation to the compensation levy? This was germane to the whole subject of the surplus which would be available for optional reduction. There was nothing to fix the exact scale of charges which was to be determined by the Licensing Commission and graduated according to the schedule. What were the Government going to do? Were they going to accelerate the rate of reduction and carry out their statutory scale at an earlier period? There was nothing to prevent them doing that. At the end of the period they could go on charging their scale of levies, and so accumulate considerable surplus funds. There was nothing in the Bill to prevent the scale of charges and the powers under this clause being so worked that a very much larger number

of licences might be got rid of in the fourteen years. If the compensation was as low as many hon. Gentlemen opposite desired, and the levy was kept at a sufficiently high point, they might get rid of the whole of the licences during the reduction period. Was that the intention of the Government? There was no appeal under the terms of this clause to Quarter Sessions.

\*THE CHAIRMAN: I do not think that question arises on this clause.

MR. GRETTON said this was a very important question—

\*THE CHAIRMAN: It is not a question of its importance, but whether it arises on subsection 1.

MR. GRETTON said this subsection in regard to optional reduction was most vague. They had been placed under the greatest difficulty in discussing it, and no hon. Member opposite could explain what it meant, or how it would work out. The only conclusion it was possible to come to was that this clause had been drawn up on the advice of some right hon. Gentleman not present, and in his absence there was no one to explain it.

Question put.

The Committee divided:—Ayes, 249. Noes, 109. (Division List No. 272.)

#### AYES.

Abraham, William (Rhondda)  
Allen, Charles P. (Stroud)  
Armitage, R.  
Ashton, Thomas Gair  
Astbury, John Meir  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Beck, A. Cecil  
Bell, Richard  
Bellairs, Carlyon  
Belloc, Hilaire Joseph Peter R.  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bethell, Sir J. H. (Essex, Romf'rd)  
Bothell, T. R. (Essex, Maldon)

Black, Arthur W.  
Boulton, A. C. (F.)  
Brace, William  
Bramsdon, T. A.  
Branch, James  
Bright, J. A.  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hon. Sydney Charles  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Causton, Rt. Hon. Richard Knight  
Cawley, Sir Frederick  
Channing, Sir Francis Allston  
Cheetham, John Frederick

Cherry, Rt. Hon. R. R.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Corbett, C. H. (Sussex, E. Grinstead)  
Cory, Sir Clifford John  
Crooks, William  
Crossfield, A. H.  
Crossley, William J.  
Curran, Peter Francis  
Dalziel, James Henry  
Davies, Ellis William (Eifon)  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Dickinson, W. H. (St. Pancras, N.)  
Dobson, Thomas W.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)

Mr. Gretton.

Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Easlemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hn. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Helme, Norval Watson  
 Hemmerde, Edward George  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George

Layland-Barratt, Sir Francis  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Laren, H. D. (Stafford, W.)  
 Maddison, Frederick  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Menzies, Walter.  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Price, C. E. (Edinb'gh, Central)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, Thomas (W. M'nmu'th)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.

Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Schwann, Sir C. E. (Manchester)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Wills, Arthur Walters  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh, N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.

Aubrey-Fletcher, Rt. Hon. Sir H  
 Balcarres, Lord  
 Baldwin, Stanley

Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-



Baring, Capt. Hn. G. (Winchester)  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Bull, Sir William James  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hon. J. A. (Worc.)  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hon. J. (Birmingham)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John

Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury, S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Keswick, William  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hon. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 M'Arthur, Charles  
 M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James  
 Parker, Sir Gilbert (Gravesend)  
 Parkes, Ebenezer  
 Pease, Herbert Pike (Darlington)

Powell, Sir Francis Sharp  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ropner, Colonel Sir Robert  
 Rothschild, Hon. Lionel Walter  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Scott, Sir S. (Marylebone, W.)  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Stanier, Beville  
 Starkey, John R.  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell- (Lanark)  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Warde, Col. C. E. (Kent, Mid)  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Mr. Forster.

\*MR. CAVE moved to insert, before the word "extinguish" the words "refer or," with the object of retaining the system created by the Act of 1904, under which licences, instead of being refused or dealt with by petty sessions were referred to Quarter Sessions to be dealt with. Nobody who was familiar with the operation of the Act of 1904 would deny that it had worked extremely well. Under that Act each bench in a county considered the requirements of its own district, and having decided that certain licences were unnecessary, they were referred to Quarter Sessions to be dealt with. Quarter Sessions reviewed the whole county, and they dealt with the licences, taking into consideration those which could be dispensed with and the means at their disposal. The Act had been fully used. Speaking with some years experience of the operation of that Act and as chairman of the licensing committee in his county and of Quarter Sessions, he said most emphatically that all the licences which were really unnecessary or harmful could be dealt with under the Act within

a very moderate period, without dislocating the trade of the country or reducing the present scale of compensation. He did not know whether hon. Members had seen the report presented to the Quarter Sessional divisions of Lancashire by the clerk of the peace for that county. The county licensing committees obtained from all the Petty Sessions returns of the licences which they thought ought to be suppressed, and made an estimate of the amount required fully to compensate the owners of those licences. They estimated that, in a period of fifteen years, with the use of the Act of 1904, they would be able to deal with all the needless licences on the footing of compensating every person interested. He deeply regretted that within so short a period an Act which had been shown to be a useful and beneficial Act and productive of temperance should, in effect, be repealed by this Bill. Those who had taken a practical and active interest in the question of temperance, chairmen of Quarter Sessions, justices, and others, would all say that by the simple operation of the Act of



1904 every real grievance and danger in the matter of an excess of public-houses could be dealt with without any real loss to, or deprivation of the rights of, persons interested. The effect of the Amendment, if accepted, would be to keep alive that statute. Hon. Gentlemen opposite were rather disposed to deal with the question of the reduction of houses as if the Act of 1904 had not been passed. No doubt there was a minority in the last Parliament who objected to that Act and rightly fought it to the end, but once passed, it was an Act of Parliament, and he did not remember a case of an Act of first class importance which had created substantial interests being reversed by a subsequent Act without provision being made for the protection of those interests. Vested interests in the right to compensation were created by the Act of 1904, and according to the traditions of Parliament, whatever new legislation was passed on the subject, they ought to protect these interests. He could not make that statement more clearly than it was made by the present Lord Chancellor. During the passage through this House of the Bill of 1904 the Lord Chancellor, then Sir Robert Reid, said:—

“Parliament could repeal this Act (1904) in case it became law. But . . . there would be a legal fixity of tenure recognised in the eyes of the law in every public-house in the country, and they could not try the experiment of local option without buying out every single one of the public-houses in the local option district at an inflated price enhanced by the fixity of tenure created by this Bill. . . . This Bill was for all time, if anything in human affairs could be for all time. This fixity of tenure would be as fixed and certain and protracted a tenure as any of them might have in land.”

Now, on that principle, to every interest created by the Act of 1904, fair protection ought to be given. The clause which they were now discussing was more drastic than the Act of 1904, because it enabled justices to suppress licences by the grant of very inadequate compensation. He maintained that the matter was of so great importance to individuals that it ought not to be dealt with by the justices upon the local benches of small districts, but by the Court of Quarter Sessions of the whole county. The Bill proposed, however, to abolish all reference or right of appeal to Quarter Sessions;

except that in so far as optional reduction beyond the statutory limit was concerned a right of appeal was reserved. It was on these grounds, and because of the great importance of the question that he begged to move his Amendment.

#### Amendment proposed—

“In page 3, line 25, after the word ‘to,’ to insert the words ‘refer or.’”—(*Mr. Cave.*)

Question proposed, “That those words be there inserted.”

SIR S. EVANS said that the hon. and learned Gentleman under what appeared to be a very simple Amendment had delivered to the Committee an elaborate argument on the Act of 1904 and the interests created by it. He was not going to be tempted by the hon. and learned Gentleman into any discussion on that subject. The Committee were engaged in altering the Act of 1904 in some particulars; and were following some of the principles established under that Act for the first time. With regard to the hon. and learned Gentleman's particular Amendment he would like to call the attention of the Committee to what would be the operation of it if carried. The hon. and learned Gentleman told the Committee that he proposed to retain the old practice and procedure established under the Act of 1904, merely in regard to statutory reduction. Now, the Committee had dealt with the statutory reduction in the first part of the Bill, and they had imposed upon the local justices the duty of carrying out that statutory reduction; or, in other words, to reduce the number of licences by about 30,000 within fourteen years. What the hon. and learned Gentleman desired to do was to have a different procedure adopted in regard to any further optional reduction. He was certain that the Committee would come to the conclusion that if the local justices were the proper tribunal to deal with statutory reductions under Clause 1, there should be the same procedure under the same authority in dealing with optional reductions under Clause 4. It was sometimes forgotten that the local benches and the Court of Quarter Sessions were different bodies of men. There was a reason

for giving Courts of Quarter Sessions a right to deal with the cases in which compensation was refused under the Act of 1904. The fund from which the compensation was to be given was a county fund, to be administered by the Court of Quarter Sessions, and it was right to give the county some control over the licences which were to be taken away. That reason would no longer exist under this clause, for the fund would be a central fund for the whole of England and Wales, and there was no reason arising out of the character of the fund for dispossessing the local justices of the power of dealing with the matter, and compelling the reference to Quarter Sessions of optional reductions of licences. The Committee had already determined the body which should deal with statutory reductions, and it would not be prudent to have a separate tribunal and a separate procedure in dealing with optional reductions of licences. The Government could not accept the Amendment.

MR. A. J. BALFOUR said there was one thing that could not be denied, viz., that the point raised by his hon. and learned friend was of very great importance and interest, and he could not but regret that a Cabinet Council was now going on which entirely prevented the Committee from having the assistance of any Cabinet Minister at all, or indeed of any Member of the Government concerned with the construction and drafting of the Bill. The speech of the hon. and learned Solicitor-General was a speech of ability. He had not a word to say against him, or against the courtesy he had displayed on this and on other occasions. But that was not the question. On this occasion he maintained there ought to be some Cabinet Minister present, perhaps not during the dinner hour, which he admitted was a painful necessity, but they had long passed that hour, they had been for some time in the full swing of the debate, and he did say that it would be proper for some Member of the Cabinet to be present during the discussion. Very much slighter omissions

were severely noticed in the last Parliament. He admitted the enormous strain of legislation and administration for ten months in the year on Ministers, but he thought that was not an adequate excuse for leaving the front bench utterly unadorned by the presence of any right hon. Gentleman belonging to the higher grade in the Ministerial hierarchy. The hon. and learned Gentleman who had just sat down resisted what he called the temptation of replying to the arguments of his hon. and learned friend the Member for Kingston, backed up as these arguments were by the authority of the present Lord Chancellor. He thought that that was one of those exhibitions of virtue which were extremely easy to display. There were certain temptations which the weakest amongst them must sometimes resist. The temptation to answer an argument to which you can see no reply was one of those temptations resistance to which made virtue easy, and that virtue the hon. and learned Gentleman had been able to practise that night in a manner which would excite the admiration of and satisfy the Nonconformist conscience. Passing from that, he thought that the argument of the Solicitor-General was singularly weak. It amounted to this: that one system had been already established under Clause 1 for dealing with statutory licences and that it would be exceedingly inconvenient and undesirable to have a parallel and contemporaneous system for dealing with licences which were outside the legal limit, and which under the Bill might be also diminished. But the Government loved these duplications, the whole Bill was full of them. They had two systems of local option; they had magistrates and the parish both dealing with the question of new licences; and he could not conceive whence this horror of doubling the machinery arose in the hon. and learned Gentleman's breast. The truth was that although his hon. friend's Amendment would be a much better Amendment if the rules of the House enabled them to give it a large extension, there was no reason whatever against their giving it such extension as

*Sir S. Evans,*

they could on the present occasion. Evidently the Government were not content with destroying what the present Lord Chancellor said were sacred, viz., such rights as were created by the Act of 1904, but they went further and went beyond those substantial interests. Their aversion to that Act was so great that they desired to pull down those portions of it which, so far as he could discover, it would have done them no harm to keep. His hon. friend had a large acquaintance with the actual working of the Act of 1904. He was himself a chairman of Quarter Sessions, and had the minutest and most constant knowledge of what went on in regard to the machinery, especially of the Act of 1904, and when he came down and told the House that the machinery had worked perfectly during the three years in which it had been tried, that it had given contentment both to the magistrates who constituted what might be called the Court of First Instance, and also to the Court of Quarter Sessions, who might be described as a Court of Review, it was perfectly unintelligible why the Government should come forward and destroy a mechanism which had, unlike the mechanism which they proposed in this Bill, been shown by the test of experience to be a good working machine. There could be no reason for destroying it. On the contrary, by the arbitrary, cast-iron and extremely foolish rule which they had chosen to establish in Clause 1, they had made it quite certain that there would be an immense reduction of licences, whether that reduction was desirable in the interests of the locality or not. Under this clause they made it possible to have still further reductions. Those reductions might inflict great hardship upon the locality in which they occurred. Why should there not be some reference to the Court of Quarter Sessions, that had done its duty so well in the past as a Court of Appeal? The argument seemed to be conclusive, but,

conclusive or not, it had not been replied to by the hon. and learned Gentleman who had just sat down. Under those circumstances, if his hon. friend went to a division he should certainly support him.

\*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said that he could not for a moment pretend that an Under-Secretary was to be regarded either as useful or ornamental. But he protested against the assertion of the right hon. Gentleman that that bench had been left untenanted by any member of the Government who was concerned with the preparation and drafting of the Bill, for both his hon. and learned friend the Solicitor-General and himself had had that privilege. He could not assent to the assertion that this Amendment raised a question of large or grave importance. It by no means concerned the virtues or vices in general of the Act of 1904, but raised a question of very minute importance. There were three conditions under which a licence might be refused by the licensing justices. In the first place, there were the cases of misconduct or structural insufficiency. In that case the licences were not referred to Quarter Sessions, and they would not be referred to Quarter Sessions under this Bill. There was an appeal to Quarter Sessions at the present time, and there would be an appeal to Quarter Sessions under this Bill. In the second place, a licensee might be refused a renewal as part of the statutory reduction. That point was not raised by this Amendment, which only dealt with the part of the clause now under discussion, which was optional and additional reduction. Obviously, the powers of Quarter Sessions, under the Act of 1904 did not arise on this Amendment, so far as the refusal of the licence was part of the scheme of statutory reduction. This Amendment

only touched the class of cases where licences were refused in the discretion of the justices over and above licences which they were to refuse under Clause 1, and all this clause did was to say that these licences should no longer go before Quarter Sessions as an administrative body by reference, but might come before Quarter Sessions as a judicial body on appeal. That was the whole difference between the law as it would stand and the law as it stood under the Act of 1904. It was not necessary to refer every licence to Quarter Sessions. Quarter Sessions were no longer concerned in the fund from which these licensees were to be compensated, but the Government agreed that there was a case for Quarter Sessions having a right to review if persons chose to come to them on appeal, and that was provided for in the second subsection of this clause by the words "subject to the foregoing provision." That said that—

"The licensing justices shall have the same powers and discretion (subject to the like appeal) as to refusing the renewal or transfer of an old 'on-licence' as they have for the time being with respect to other on-licences."

That was to say, they had the same power as to the renewal or transfer of the pre-1904 licence as they had in regard to the post-1904 licence.

SIR E. CARSON wished to point out in regard to the words "subject to the foregoing provision," that the foregoing provision was that the licensing justices had to do this and not Quarter Sessions.

\*MR. HERBERT SAMUEL said the "foregoing provision" was that they had to obtain the consent of the Licensing Commission. Obviously that was so, and if hon. Members would look through the clause carefully, they would see that it was. They could not effect these additional reductions save in accordance with the "financial pro-

*Mr. Herbert Samuel.*

visions of this Act," and it was subject to that "foregoing provision" that they were to take action, and the appeal was preserved. It was clearly stated in the subsection: "Subject to the like appeal." The right hon. Gentleman might interpret the words "subject to the like appeal" to be not subject to the like appeal, and he would have displayed the most remarkable ingenuity, but it was the intention of the subsection to preserve the same appeal as existed before 1904 as to the renewal of the licence. He thought that intention was carried out.

SIR E. CARSON said he had not the least desire to enter into a legal argument with the hon. Gentleman the Under-Secretary, though he wished to state his views. It was not the first time that the hon. Gentleman had laid down emphatic law which had been proved, upon reference to previous Acts, to have been entirely erroneous, and if he might be so audacious as to give the hon. Member a little advice, he would counsel him in the construction of an Act of Parliament to be not always so absolutely certain as he appeared to be.

MR. HERBERT SAMUEL: I was, of course, not acting upon my own opinion, but upon advice.

SIR E. CARSON said the hon. Member must not think for a moment that by merely raising a laugh on the wording of a clause he could construe an Act of Parliament. He dared say hon. Members thought his opinion was not worth much, and he did not quarrel with them in regard to the manner in which they appraised his legal opinion, but he never stated a legal opinion in this House which he did not conscientiously believe was the true construction of the particular matter which he was putting before the House. After all, the hon. Gentleman said they intended a certain thing.



Well, he hoped they would put their intentions down, and that when they did so and they came to ask them about the matter they would be able to explain them. He also hoped hon. Gentleman would understand them, though it was not their experience during the Bill that they did, but it might be so, as the Bill went on. The hon. Gentleman said that this appeal was preserved. What did the section say?

"The obligation under this Act to carry out the statutory reduction shall not affect the power of the licensing justices to extinguish licences in any rural parish or urban area in excess of the number for the time being required to be extinguished under this scheme for statutory reduction, subject, in the case of the proposed extinction of an old on-licence involving the payment of compensation, to the financial provisions of this Act; and that power is in this Act referred to as 'the power of optional reduction.'"

In the case of statutory reduction was there any appeal? ["No."] And except under this Bill the licensing justices had no power to extinguish, while Quarter Sessions would have the power to extinguish under the Act of 1904. Where did the hon. Gentleman get the appeal? The hon. Member said it was in the second subsection in the words "subject to the like appeal." Yes, but that was subject to the foregoing provision, which said that the licensing justices should have the same power with regard to excess licences, and those which the statutory provision applied to. To his mind, as a lawyer, the matter was absolutely plain, but the Solicitor-General would probably give them some reason for dissenting. If he and the Solicitor-General disagreed they made it plain, and his challenge to the Government was to make it plain, and that would put an end to the whole matter. Might he also remind the Committee that the argument put forward by the Under-Secretary was entirely different from that put forward by the Solicitor-General, who argued that no appeal was necessary, because there was no appeal

under the Act of 1904. [The Solicitor-General dissented.] That was the way he took it.

SIR S. EVANS said he certainly did not intend to say that, and he did not think he did say it.

SIR E. CARSON said he certainly took down the words: "There is no appeal under the Act of 1904." Of course there was not, because the matter went to Quarter Sessions on a reference. Why did the hon. and learned Gentleman enter into a learned disquisition as to the reasons why, under the Act of 1904, it went to Quarter Sessions? What was the necessity for that if they were not taking away the jurisdiction? He said the reason was because the fund was distributed by Quarter Sessions. What was the necessity of this if they were not taking away the jurisdiction of Quarter Sessions? The truth of the matter was that there was an attempt in this section and in the next subsection to get rid of Quarter Sessions. That was the object of the Government. The Government were prepared to maintain the appeal in the case of a licence extinguished on account of misconduct, but would give no appeal where the licence had been taken away and the man had conducted his house well. The reason for that was that they did not trust Quarter Sessions, and because they knew that the Quarter Sessions who were removed from local prejudice of a particular district had refused to lend themselves to the practices that had prevailed in certain Petty Sessions. The Under-Secretary for the Home Department had said that this matter had no relation to the Act of 1904. Was that so? Was there no argument to be found in the fact that they were bringing in extra provisions, outside altogether the statutory reduction, to compel further reductions, although the Opposition were able to point out that the Act of 1904 had been



only touched the class of cases where licences were refused in the discretion of the justices over and above licences which they were to refuse under Clause 1, and all this clause did was to say that these licences should no longer go before Quarter Sessions as an administrative body by reference, but might come before Quarter Sessions as a judicial body on appeal. That was the whole difference between the law as it would stand and the law as it stood under the Act of 1904. It was not necessary to refer every licence to Quarter Sessions. Quarter Sessions were no longer concerned in the fund from which these licensees were to be compensated, but the Government agreed that there was a case for Quarter Sessions having a right to review if persons chose to come to them on appeal, and that was provided for in the second subsection of this clause by the words "subject to the foregoing provision." That said that—

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SIR E. CARSON wished to point out in regard to the words "subject to the foregoing provision," that the foregoing provision was that the licensing justices had to do this and not Quarter Sessions.

\*MR. HERBERT SAMUEL said the "foregoing provision" was that they had to obtain the consent of the Licensing Commission. Obviously that was so, and if hon. Members would look through the clause carefully, they would see that it was. They could not effect these additional reductions save in accordance with the "financial pro-

visions of this Act," and it was to that "foregoing provision" that they were to take action, and the law was preserved. It was clearly in the subsection: "Subject to the like appeal." The right hon. Member might interpret the words "subject to the like appeal" to be not subject to the like appeal, and he would have been the most remarkable ingenuit. It was the intention of the subsection to preserve the same appeal as before 1904 as to the renewal of a licence. He thought that intention was carried out.

SIR E. CARSON said he had the least desire to enter into an argument with the hon. Gentleman the Under-Secretary, though he wished to state his views. It was not the time that the hon. Gentleman had laid down emphatic law which had proved, upon reference to previous Acts, to have been entirely erroneous. If he might be so audacious as to give the hon. Member a little advice, he would counsel him in the construction of an Act of Parliament to be not always absolutely certain as he appeared to be.

MR. HERBERT SAMUEL: I was, of course, not acting upon my own opinion, but upon advice.

SIR E. CARSON said the hon. Member must not think for a moment that by merely raising a laugh on the wording of a clause he could construe an Act of Parliament. He dared say hon. Members thought his opinion was not worth much, and he did not quarrel with them in regard to the manner in which they appraised his legal opinion, but he never stated a legal opinion in this House which he did not conscientiously believe was the true construction of the particular matter which he was putting before the House. After all, the hon. Gentleman said they intended a certain thing.

*Mr. Herbert Samuel.*

Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Faber, George Denison (York)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Forster, Henry William  
Gibbs, G. A. (Bristol, West)  
Gooch, Henry Cubitt (Peckham)  
Goulding, Edward Alfred  
Gretton, John  
Guinness, Hn. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Haddock, George B.  
Hamilton, Marquess of  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Helmsley, Viscount  
Hill, Sir Clement  
Hills, J. W.  
Hope, James Fitzalan (Sheffield)  
Hunt, Rowland  
Kerry, Earl of  
Kewick, William  
King, Sir Henry Seymour (Hull)  
Lane-Fox, G. R.

Lea, Hugh Cecil (St. Pancras, E)  
Lee, Arthur H. (Hants, Fareham)  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Rt. Hn. Walter (Dublin, S)  
Lonsdale, John Brownlee  
M'Arthur, Charles  
M'Calmont, Colonel James  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Mildmay, Francis Bingham  
Morpeth, Viscount  
Morrison-Bell, Captain  
Nicholson, Wm. G. (Petersfield)  
Nield, Herbert  
Oddy, John James  
Parker, Sir Gilbert (Gravesend)  
Parkes, Ebenezer  
Pease, Herbert Pike (Darlington)  
Powell, Sir Francis Sharp  
Ratcliff, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renton, Leslie  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ropner, Colonel Sir Robert  
Rothschild, Hon. Lionel Walter

Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell  
Scott, Sir S. (Marylebone, W.)  
Sheffield, Sir Berkeley George D.  
Smith, Abel H. (Hertford, East)  
Smith, F. E. (Liverpool, Walton)  
Stanier, Beville  
Starkey, John R.  
Staveley-Hill, Henry (Staff'sh.)  
Talbot, Lord E. (Chichester)  
Talbot, Rt. Hn. J. G. (Oxf'd Univ)  
Thomson, W. Mitchell- (Lanark)  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Warde, Col. C. E. (Kent, Mid)  
Whitbread, Howard  
Willoughby de Eresby, Lord  
Wilson, A. Stanley (York, E. R.)  
Winterton, Earl  
Wortley, Rt. Hn. C. B. Stuart-  
Young, Samuel  
Younger, George

TELLERS FOR THE AYES—  
Mr. Cave and Mr. Meysey-  
Thompson.

## NOES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William  
Allen, Charles P. (Stroud)  
Armitage, R.  
Ashton, Thomas Gair  
Asquith, Rt. Hn. Herbert Henry  
Astbury, John Meir  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N)  
Beale, W. P.  
Beauchamp, E.  
Bell, Richard  
Bellairs, Carlyon  
Belloc, Hilaire Joseph Peter R.  
Benn, W. (T'w'r Hamlets, S. Geo)  
Black, Arthur W.  
Bottomley, Horatio  
Bowerman, C. W.  
Brace, William  
Bramson, T. A.  
Branch, James  
Brigg, John  
Bright, J. A.  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hn. Sydney Charles  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Causton, Rt. Hn. Richard Knight  
Cawley, Sir Frederick

Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (St. Pancras, W)  
Corbett, CH (Sussex, E. Grinst'd)  
Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Cox, Harold  
Craig, Herbert J. (Tynemouth)  
Crooks, William  
Crossfield, A. H.  
Crossley, William J.  
Curran, Peter Francis  
Dalziel, James Henry  
Davies, Ellis William (Eifion)  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S)  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Dunn, A. Edward (Camborne)  
Dunne, Major E. Martin (Walsall)  
Edwards, Clement (Denbigh)  
Erskine, David C.  
Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Fiennes, Hon. Eustace  
Findlay, Alexander  
Freeman-Thomas, Freeman  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)

Gill, A. H.  
Gladstone, Rt. Hn. Herbert John  
Glen-Coats, Sir T. (Renfrew, W.)  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Greenwood, G. (Pererborough)  
Grey, Rt. Hon. Sir Edward  
Gulland, John W.  
Gurdon, Rt. Hn. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Hall, Frederick  
Harcourt, Rt. Hn. L. (Rossend'le)  
Harcourt, Robert V. (Montrose)  
Hardie, J. Keir (Merthyr Tydvil)  
Hardy, George A. (Suffolk)  
Harmsworth, Cecil B. (Worc'r)  
Harmsworth, R. L. (Caithn'ss-sh)  
Harvey, A. G. C. (Rochdale)  
Harvey, W. E. (Derbyshire, N. E.)  
Haslam, James (Derbyshire)  
Hazel, Dr. A. E.  
Helme, Norval Watson  
Hemmerde, Edward George  
Henderson, Arthur (Durham)  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon., S.)  
Herbert, T. Arnold (Wycombe)  
Higham, John Sharp  
Hobart, Sir Robert  
Hobhouse, Charles E. II.  
Hodge, John  
Holt, Richard Durning  
Hooper, A. G.  
Hope, W. Bateman (Somerset, N.)  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Hudson, Walter

Hyde, Clarendon  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Maddison, Frederick  
 Mansfield, H. Rendall (Lincoln)  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Myer, Horatio  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry

O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearson, W.H.M. (Suffolk, Eye)  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W.E.B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T.F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Seaverns, J. H.  
 Seddon, J.  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.

Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliff)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J.W.H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Ward, W. Dudley (Southampton)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hon. E. (Clackmannans)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke, (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas F.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid.)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westboughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

And, it being after Eleven of the Clock  
 the CHAIRMAN left the Chair to make his  
 Report to the House.

Committee report Progress; to sit  
 again To-morrow.

#### OLD-AGE PENSIONS ACT, 1908.

Return presented, relative thereto  
 [ordered 20th October; Mr. Burns];

to lie upon the Table, and to be printed.  
 [No. 303.]

Whereupon Mr. SPEAKER, pursuant to  
 the Order of the House of 31st July,  
 adjourned the House without Question  
 put.

Adjourned at eight minutes after  
 Eleven o'clock.

HOUSE OF LORDS.

Wednesday, 21st October, 1908.

RETURNS, REPORTS, ETC.

COLONIES (ANNUAL).

No. 580. Fiji (Report for 1907).

TRADE REPORTS: ANNUAL SERIES.

No. 4150. China (Wenchow).

No. 4151. Japan (Nagasaki).

No. 4152. China (Foreign Trade, 1907).

Presented (by Command), and ordered to lie on the Table.

POST OFFICE.

I. (Foreign and Colonial Post).—The Foreign and Colonial Post (Cash on Delivery) (Amendment (No. 2) Warrant, 1908, dated 31st July, 1908; The Foreign and Colonial Post (Cash on Delivery) Amendment (No. 3) Warrant, 1908, dated 11th September, 1908.

II. (Foreign and Colonial Parcel Post, Turkey).—The Foreign and Colonial Parcel Post Amendment (No. 21) Warrant, 1908, dated 1st July, 1908.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

THE CONDITION OF IRELAND.

THE MARQUESS OF LONDONDERRY: My Lords, I rise to call attention to the lawless condition of certain parts of Ireland, and to ask His Majesty's Government whether there has been an increase in intimidation, boycotting, cattle-driving and offences against property and individuals in those districts during the current year; and whether the law as administered has been found adequate to deal with the existing state of affairs and, if not, what steps the Government propose to take with a view to protecting the liberty and property of individuals.

Your Lordships will remember that I have brought this subject before the notice of the House on more than one occasion. On the first occasion the disorder was but as a small cloud no bigger than a man's hand, but the misgivings I then expressed have, unfortunately, been since realised; and

this lawless condition of affairs, owing to the action of His Majesty's Government in not checking it in its origin, has now spread over a certain number of counties in Ireland. Indeed this entire disregard of the law has extended to almost within eighteen miles of Dublin. When I drew the attention of His Majesty's Government to this matter, and warned them as to what would take place, the noble Earl who now leads the House denied that the Government—

“Had any intention of doing anything but dealing in the fullest manner with such disorder.”

And the noble Marquess whose absence we so much regret (Lord Ripon), who then led the House, declared that the Government—

“Wanted to stand by the ordinary law until the ordinary law failed.”

Now, are His Majesty's Government to-night prepared to repeat their declaration that the ordinary law is sufficient to check the disorder?

It will be observed that I have restricted my Question to certain parts of Ireland, to the parts which are at the present moment in a lawless condition, and to those districts I shall entirely confine my remarks to-night, because I rejoice to think that outside eight counties the ordinary law of the land is recognised and respected. Hitherto when attention has been called to the serious condition of certain parts of Ireland it has been the custom of His Majesty's Government to slide off into an entirely different channel, and instead of giving a direct reply they have endeavoured to prove that ordinary crime in Ireland was no worse, and perhaps less, than in England. Therefore I ask the noble Lord who will reply to me on behalf of the Government to confine himself to replying to my Question.

I do not think that His Majesty's Government will deny that at the present moment this lawlessness exists in no less than eight counties in Ireland. It was, therefore, with some surprise that I read a speech delivered at Liverpool on 8th October, by the Attorney-General for Ireland, who said that we were at the

“Beginning of an era of peace, concord, and prosperity in Ireland.”

I do not hesitate to say that I rubbed my eyes with astonishment when I read



that statement coming from a prominent member of the Irish Executive, and I hope there will be some explanation of how such a statement can be reconciled with the actual facts. The Government have themselves recognised in some degree the actual state of affairs, for they have issued a certain kind of proclamation enabling them to introduce extra police into disturbed districts. That was one reason why I rubbed my eyes with astonishment at reading the Attorney-General's statement. I find that the charges of the Judges of assize are at complete variance with the statement made by the Attorney-General. I do not propose to weary your Lordships by quoting more than a few of the charges. Mr. Justice Kenny, at the Galway Assizes on 20th July, said—

“With the exception of one district its condition is deplorable.”

Mr. Justice Madden, at the Longford Assizes on 3rd July, referred to the condition of things as—

“Other than satisfactory.”

At the Roscommon Assizes on 10th July, Mr. Justice Kenny said—

“Roscommon, I regret to say, is in a state of extreme lawlessness.”

I have other extracts of a similar kind, but I think those I have quoted will be sufficient to prove that the condition of these parts of Ireland has been declared by the Judges to be unsatisfactory and deplorable.

The actual returns of outrages confirm these statements. Persons under police control on 31st January, 1906, were 41; on 30th September, 1908, they numbered 104. Under patrol protection on 31st January, 1906, there were 167; on 30th September, 1908, 252. Cases of wholly boycotting on 31st January, 1907, were 14; on 31st August, 1908, 75. Cases of partial boycotting on 31st January, 1907, were 38; on 31st August, 1908, they were 40; and minor cases had increased from 164 to 639.

Then I come to another very dangerous class of crime, which appears as far as I can see, not to disturb the authorities at all—what is known as firing at persons. In 1906 there were three cases of firing at persons, and up to 30th September there had been ten such cases in 1908. Firing

*The Marquess of Londonderry.*

into dwellings during the same periods had increased from nine to fifty-five. Agrarian outrages numbered 234 in 1906, and were 418 to 30th September, 1908. Cattle-drives in 1907 numbered 381, and in 1908 up to June there were 413. The awards for malicious injury in the six months from April to September, 1906, amounted to £372; and the amount from October to March, 1908, was £2,912. These figures are of so remarkable a character that I think it must strike your Lordships as extraordinary that the Attorney-General for Ireland should endeavour to lead the people of England to believe that we are at the beginning of an era of peace, concord, and prosperity. I maintain that the statement of the Attorney-General is entirely misleading and absolutely contrary to the facts.

I now come to the second part of my Question. I ask the Government whether the law as administered has been found adequate to deal with the existing state of affairs. Again, I turn, in the first place, to the charges of the Judges. Mr. Justice Kenny, at the Roscommon Assizes, said—

“From the information before me it would appear that binding to the peace is a very ineffective remedy for the state of things that exists:”

and Mr. Justice Ross, at the Lard Judges Court said—

“This leniency is now interpreted as imbecility, cowardice, and connivance.”

Judge Curran, at Longford on 15th June, declared that—

“Cattle-driving will never cease as long as the Government only binds to the peace.”

That is the opinion of His Majesty's Judges, and I ask His Majesty's Government whether it is their intention to allow this state of lawlessness, which I have shown is on the increase, to go on absolutely unchecked, certainly unpunished. Why will not the Government take proper steps to secure respect for the law, and to put an end to the present condition of lawlessness? I should like an answer to that question.

The Attorney-General for Ireland, in the same speech at Liverpool, said—

“The Liberal view was to associate the people with the administration of criminal law in such a way as to make them feel they were responsible for the welfare and good



order of their own country. In this way the Liberal Party believed they would really gain to their side the whole mass of the people, making them feel that the law was their friend."

Surely the way to associate the people with the law and order is through trial by jury. But what has become of trial by jury in Ireland? The Government have virtually admitted that trial by jury is an absolute failure. The law officers have told you that they have had plenty of evidence but could not get juries to convict the cattle-drivers, so great was the intimidation. Accordingly the offenders are brought before the magistrates, who simply bind them to the peace. Therefore I repeat that the Government have virtually acknowledged that trial by jury is an absolute farce.

What steps do His Majesty's Government propose to take to remedy the present serious state of affairs? It is not for me to advise His Majesty's Government; but I would suggest that there is a very simple course before them, and that is to make use of the statutory powers they at present possess. Without the need of reviving the Crimes Act, which the Government seem so much to dread, cattle-drivers could be tried under the existing statutory law for riotous assembly before two resident magistrates and summarily convicted. It may be said, in the interests of the law breakers, "Oh, but they would receive a severer punishment." So much the better. Law breakers ought to be punished. I regret the absence to-day of the noble and learned Lord the Lord-Chancellor, as I should like to have appealed to him on this point. I am confident that if cattle-driving took place in this country the authors of it would be prosecuted for riotous assembly, and they would be liable to two years' imprisonment. If that is the case in England, why, I ask, are these law breakers in Ireland, who are equally guilty, to be let off by being bound to the peace, which the Judges tell you is a complete farce? I hope I shall have an answer to that question.

I leave the question of cattle-driving and turn to that of boycotting. Boycotting, as the figure I have quoted so tragically show, is rampant in those parts of the country which I have referred to and which, in my mind, is a disgrace

to those responsible for the administration of the law in Ireland. We had difficulties with regard to boycotting at the time I undertook the Lord-Lieutenancy of Ireland, but by the administration of the Act of 1887, we entirely stamped it out. Why cannot that be done now? I noticed that Mr. T. W. Russell in a speech the other day asked—

"How can the Crimes Act stop boycotting?"

I shall show you very shortly that when the Crimes Act was administered by a strong Government, who recognised their responsibilities, boycotting was very soon stopped. But I will answer the Nationalist Mr. T. W. Russell, in the words of the Unionist Mr. T. W. Russell, who, speaking in the House of Commons on 21st August, 1889, as to the effects of the Crimes Act, two years after it had been in operation, said—

"In October, 1887, the number of persons boycotted was—in Clare, 506; and in Kerry, 477; and on July 1 this year there were seven persons in Clare and thirteen in Kerry, wholly or partially boycotted. Now, if that does not indicate an improved condition of things, I do not know what would be called an improvement. . . . Now, if I take the whole country apart from these two counties, I find the facts showing an equal improvement."

Mr. Jackson, who succeeded Mr. Balfour as Chief Secretary, and to whom the restoration of law and order was due, speaking in March, 1892, said—

"In 1888, according to a Parliamentary Paper presented to the House, there were on 31st July, 1887, totally boycotted people in Ireland to the number of 870, and partially boycotted, 3,965. On 31st December, 1891, there was not a single person in Ireland boycotted, either wholly or partially."

These are two conclusive testimonies of the success of the Crimes Act in stopping boycotting, yet Mr. Russell asks how the Crimes Act could stop boycotting. I know full well that there are considerable difficulties in dealing with very subtle cases of boycotting in Ireland. My own experience, and I was in the thick of it, demonstrated to me how difficult it was to deal with a certain mischievous class of boycotting; but in those days the Government recognised their responsibilities, and were determined that the law of the land should be effectively administered. I will give your Lordships a concrete instance of a case that occurred during the time I was Lord-Lieutenant. Certain

men were prosecuted, and there was a great deal of comment at the time because it was stated that they were being proceeded against for simply winking. It sounded a very trivial thing to be prosecuted for, but I will explain what that winking meant. There were a certain number of farmers on one of the campaign estates who were the victims of a ring of boycotters, and the general evidence was that they were systematically pursued by persons who gave this signal to intending purchasers, thereby rendering it absolutely impossible for them to sell their cattle or produce. Well, we prosecuted the boycotters, and our action resulted in a conviction and a smart sentence. The consequence was that the whole conspiracy collapsed, and these men were allowed to live in peace under the protection of the law. If boycotting in the shape of winking can be effectively dealt with under the Crimes Act I fail to see why, if you put it in force, you could not do away altogether with the present lawlessness.

When I have previously drawn attention to boycotting in your Lordships' House I have been told that the important cases were very small in number, that the cases enumerated were minor cases, and that, therefore, it was not worth while reviving the Act of 1887. To the uninitiated in England a minor case of boycotting may seem a trivial matter. Let me quote a definition given by the Lord Chief Justice, who, at the Spring Assizes for County Clare, held at Ennis on 3rd March, last, said—

"Let them take an instance of those so-called minor cases. . . . He would take the case of a man named Taylor. People did not speak to him or deal with him in any way, and he had to go to Limerick for all the necessaries of life. . . . There were five cases where people did not speak or deal with the parties, and they had to go considerable distances for the necessaries of life. These were instances of minor boycotting."

Will any one tell me that cases of boycotting ought not to be taken notice of because they are minor cases only, when this intolerable treatment is meted out to the victims?

When I last raised this question the Lord Chancellor said that the Crimes Act—

"Would only inflame ill-feeling, and increase the volume of crime."

*The Marquess of Londonderry.*

I was surprised at that statement. If the noble and learned Lord studied the Irish papers as closely as I do, he would find that when men were prosecuted and, refusing to be bound over, went to gaol, they caused quite as much ill-feeling as would result from putting in force the Crimes Act. Again, I cannot reconcile the statement of the Lord Chancellor with the fact that when the Act was put in force by a Unionist Government the volume of boycotting was reduced. What has gone far to increase the volume of crime in Ireland is the action of His Majesty's Government and the statements which have been made by Ministers. I remember well that when Sir Edward Carson called upon the Chief Secretary last summer to take advantage of the law that existed or could be revived, Mr. Birrell replied—

"I will not."

I submit that that word did more to increase the volume of crime than anything that had been done for some time, and it carried joy to the hearts of the law-breakers. I hope the Government, though rather late in the day, are realising the seriousness of the present state of affairs and will take steps to put an end to it. I have noticed that Mr. Birrell has never spoken very strongly of the disorderly conduct of certain parts of Ireland. He certainly said once that his fingers itched to prosecute the cattle-drivers or those who promoted cattle-driving, but his hands never grasped the offenders.

The land settlement in Ireland is being suspended because the agreements for sale which have been signed are not being carried out. I maintain that Mr. Birrell cannot ride on two horses; he cannot say that the disorderly condition of Ireland is stopping the progress of land settlement, and yet at the same time take no steps to put an end to that disorder. When the last Unionist Government, of which I was a member, passed the Land Purchase Act, we never anticipated that it would be such a glorious success. It is now Mr. Birrell's duty to quell the present disorder and go on with the land policy, for in allowing lawlessness to continue, the Government are doing serious damage to the industrial prosperity of Ireland owing to the great

charges that are placed on localities for extra police.

On this occasion we have an advantage which we have not had before. We have now present with us Lord MacDonnell, who has been created a Member of your Lordships' House since we last debated this subject. Lord MacDonnell had been in Dublin while the serious increase of crime was going on. Of Lord MacDonnell I speak in terms of sincere respect. His friends have told me that he is a man of great ability, and a staunch supporter of law and order. With regard to the first description, I most cordially concur, and with regard to the second, I should like to hear his speech to-night before I form an opinion. Lord MacDonnell occupied the great position of permanent Under-Secretary at Dublin, and in that capacity he naturally had a large voice in the conduct of affairs. Doubtless he will tell us his experiences there at that time, and whether he concurred in the action of his Chief in permitting this lawlessness to go on.

I have frequently been told that the condition of Ireland is not nearly so bad as it was in the dark days before the Act of 1887, when crime and outrage stalked unchecked. I fully admit that. But there exists in Ireland at present a state of demoralisation of those who are responsible for the administration of the law. There is demoralisation from the highest to the lowest. The Judges know it is no use charging juries, and benches of magistrates dare not sit for fear of the consequences. Their lives would be in jeopardy if they gave decisions contrary to the will of the United Irish League. The police themselves are in doubt when they are doing their utmost to maintain law and order as to whether they will be supported by their chiefs. Surely a state of demoralisation such as this is a scandal to a civilised country and ought not to be allowed to exist. It is the custom for English people to say: "Oh, it is only Ireland"; but I maintain that the life and property and comfort of Irishmen, no matter how humble, have a right to be protected. As the spirit of lawlessness is spreading in Ireland, so will it spread over the whole of the United Kingdom, and it is because I believe it to be to the interest of England

as much as of Ireland that law and order should be maintained by those responsible for it that I have put down the Question which stands in my name.

\***LORD CLONBROCK:** My Lords, I wish to support most strongly what has fallen from my noble friend who has just sat down as to the condition of a very considerable part of Ireland. I can assure the House that deep anxiety exists in Ireland both as regards the present time and as to what may happen in the immediate future, because we have it on very high authority that there is to be a renewal of agitation during this coming winter. As my noble friend has pointed out, eight counties out of the thirty-two are concerned. That is not only a quarter of the number of counties but it approaches very nearly to a quarter of the whole area of Ireland. A quarter of the whole area of Ireland is a little over 8,130 square miles; the area of these eight counties is 7,912, and we have seen in the public Press that the agitation is extending further south and east into the county of Tipperary.

The Government are evidently well aware of the increasing amount of agitation, as we see from the step, about the only step they have taken, in the direction of increasing the police force in these several counties. In the half year ended 31st March, 1907, the amount charged to the counties for extra police was £799; on 31st March of this year the amount was £7,073. That shows the opinion of His Majesty's Government as to the requirements of the country in the way of police in consequence of this agitation. I must point out that this is a very heavy burden upon these counties, and that it falls chiefly upon the people who are injured by these illegal acts and outrages. In speaking of the police, I wish again to bear testimony to their admirable conduct, to the energy and activity which they have displayed under very discouraging circumstances; for it must be most discouraging to them, after all the hard work that devolves upon them in endeavouring to check cattle-driving and other outrages, to find that when they make an arrest the defendants are merely bound over to keep the peace. There are plenty more to take the place

of the cattle-drivers who are bound over, and they are encouraged by the leniency shown with regard to this offence.

My noble friend has well described the state of terrorism which can be produced by fear of outrage and boycotting. Boycotting could not continue to any extent were it not for the terrorism which is inspired and the fear of violent outrages. In the first six months of this year there were seventy-five cases of firing into houses and at people; and only a few days ago I read that in my own county about twenty shots were fired into a house in which two ladies resided, and, as usual, no arrests were made. The system of terrorism is so great that orderly and law-abiding persons are debarred from following their ordinary avocations in life, and they look, as I say, with the greatest possible apprehension to the future. I do hope, therefore, that it is not too late to urge His Majesty's Government to give up vague generalities, as to the state of Ireland being, on the whole, satisfactory, to consider how large the disturbed area has become, and to extend to peaceable, law-abiding citizens that protection which they have a right to expect in any civilised country.

\*LORD DENMAN: My Lords, once more we are embarked on a debate dealing with the question of law and order in Ireland, and once more the attack on the Government has been led by two noble Lords well qualified by their position to speak for the landlord party in that country. This is not the first time—no doubt it will not be the last time—that this question has been discussed in your Lordships' House during the life of the present Parliament. I notice that there is a certain similarity in the arguments and in the views which are put forward with those which have been put forward on previous occasions, and I think it possible that there may be a corresponding similarity in the answer which I have to give to-day.

The noble Marquess dealt at some length with statistics, and I shall have a word to say on that matter. Formerly, when I have taken part in these debates, I have endeavoured to ground my case

*Lord Clonbrock.*

a good deal on the figures supplied to us by the police. I have endeavoured to show that if the number of outrages and crimes was not much worse in a particular year, say in the year 1906, than in the previous year, the state of Ireland even in the disturbed districts could not be as very bad, and I have been rather surprised, I am bound to confess, at the ease with which the figures I have given have been brushed away by noble Lords opposite either suavely or brusquely or contemptuously, according to the disposition of the speaker. A noble Lord would get up from the front Opposition bench and say: "What do I care about your statistics. I much prefer relying upon the opinion of Mr. So-and-so"; and it is a curious thing that Mr. So-and-so's opinion always coincided with his own. Then some other noble Lord, say, for example, Lord Mayo, would rise from the benches opposite and say: "After all, the number of these outrages depends upon the way in which they are ordered to be reported by the police."

THE EARL OF MAYO: Hear, hear.

\*LORD DENMAN: The noble Earl adheres to that statement. Well, that knocks the bottom out of my statistics altogether. The noble Marquess has grounded his case to-day on figures and answers which have been supplied, I presume, by the Irish Office in the House of Commons. After my experience of statistics I had not intended to ground my case upon them to-day. The noble Marquess, however, has dwelt at length upon the state of the country which obtained when he was Viceroy, when he was a member of a firm and courageous Government, and I would like to quote some figures which will give a comparison of the state of the country as it is to-day with the state of the country as it was during the last year of the noble Marquess's occupancy of the office of Lord-Lieutenant. That, I think, was the year 1889.

I find that the figures are as follows. In 1889 the cases of intimidation numbered 202; in 1908 they are 242. Offences against property were 132 in 1889; in 1908 they are 64. Offences against the person were 27 in 1889;



in 1908 they are 18. Offences against the peace were 96; to-day they are 108—that is to say, we have a total of 432 cases to-day as against 457 when the noble Marquess resigned his office and at a time when the Crimes Act, to which the noble Marquess is so devoted, had been some two years in force. With regard to boycotting, I find that there were 53 serious cases in 1889; there were 26 in 1908. Therefore, I think we may conclude, if there is any force in the figures that I have given or that the noble Marquess has given, that the country is in no worse condition to-day than it was during the rule of the Government of which the noble Marquess was a member and after two years application of the Crimes Act.

I was glad to notice one rather important admission in the speech of the noble Marquess. He told us that outside eight or nine counties the ordinary law prevails. I thank the noble Marquess for that admission. That is a very distinct improvement upon the attitude which he took up in the debate at the beginning of this session. What did he tell us then? He said—

“To my mind, at the present moment the condition of Ireland is undoubtedly more serious than it has been during the past thirty or forty years.”

Now he tells us that outside eight or nine counties the ordinary law prevails, and that the condition of Ireland is, I presume, fairly satisfactory. Therefore, if we are to judge by this admission, the state of Ireland has certainly improved during the last few months.

I have said that I do not intend to rest my case to-day on figures, but I admit that importance should attach to these figures. I have said so before, and it would only be consistent on my part to say so again to-night; and if you judge by the figures I admit that certain counties in the west of Ireland are certainly in a bad condition to-day; indeed, I believe their condition is worse than at any time during which the present Government have been in office. But, having said this, I propose to dwell for a few moments upon the cause of the trouble, and I hope I shall be able to show that the state of things

even in these districts is not really so bad as the admission I have just made would seem to imply. In the first place, as the noble Marquess and his colleague, Lord Clonbrock, I think, have admitted, the disturbance is confined within certain areas. County Clare, in which, I regret to say, the disturbance has lately spread and which is certainly one of the worst at the present time, is responsible for 149 out of 313 agrarian outrages and for 106 out of 536 cattle-drives. In other words, County Clare is responsible for half the outrages in the disturbed area and for one-third of the outrages in all Ireland; it is also responsible for half the threatening and intimidatory letters and notices. Of the other counties, Galway and Roscommon are the worst. As I have said, the trouble is confined within certain districts.

As regards the steps which have been taken to cope with the disorder in those parts of Ireland, nine counties have been proclaimed for the purpose of increasing the police establishments. An addition of 750 men has been made to the constabulary force. The police in these counties, under difficult conditions, have done their best to deal with the disorder that exists. Half the cost is borne by the counties proclaimed. Signs are not wanting that the local authorities are beginning to be concerned at the cost which they will have to meet for extra police, and it is to be hoped that they may bring their influence to bear in the cause of law and order.

To my mind there is one hopeful sign in the rather gloomy picture which the two noble Lords who have just spoken have drawn, and that is that we know, or at all events we believe we know, the cause of the disease. I believe it is generally agreed on both sides of the House that the cause of this disease is known, and once you know the cause surely it should not be entirely impossible to find a remedy, even though we may differ as to what that remedy should be. Of course the primary cause is congestion in the West of Ireland. You have poor people living in the neighbourhood of rich grazing lands which they covet for themselves, and, human nature being what it is, they have resorted to extremities in an entirely mistaken attempt



to attain their ends. I do not wish for a moment to be thought to excuse or extenuate any of the crimes or outrages that have been committed in these districts. Nothing is further from my mind. Indeed, no language can be too strong to condemn them. But, at the same time, we know that this land hunger is a factor in the situation, and it is a factor which anyone attempting to deal with this problem will have to take into consideration.

There is, I think, a reason why the land hunger in the West of Ireland is worse perhaps than it is in other parts, and it is to be found in the Land Act of 1903. The Estates Commissioners have bought untenanted land in different parts of Ireland, but owing to the high price of grazing land in the west I believe it is true that a comparatively small number of properties have been acquired there compared with other parts. The consequence is that people in these districts have seen untenanted land change hands in other parts of Ireland but not in theirs, and as a result the disappointment in those particular districts has been deep and bitter. The Government intend to lay before Parliament during this session legislative proposals for dealing with the question of congestion and with the points raised in the Report of the Commission presided over by Lord Dudley, and of which the noble Lord behind me, Lord MacDonnell, was a distinguished member. Of course, it would be impossible that at this stage of the session any Bill dealing with a question of this magnitude should be expected to pass through either House of Parliament. That is out of the question, but I think it is possible that when the people realise that the Government are in earnest in grappling with this problem of congestion it may do something to allay the disorder even in the districts where it is at present most pronounced. Then the noble Marquess asks us what we are going to do; and from the terms of his speech I gather that what he wants us to do is to apply the Crimes Act.

THE MARQUESS OF LONDONDERRY:  
Hear, hear.

*Lord Denman.*

LORD DENMAN: I have to tell the noble Marquess frankly that it is not the intention of the Government at the present time to apply the Crimes Act. They prefer to rely on the ordinary law, in the belief that their policy will result in the creation of a healthier state of public opinion, and that by refusing to resort to exceptional measures they will eventually enlist the sympathies of the people themselves on the side of law and order. If we want support for our policy of refusing to apply the Crimes Act to-day it is to be found in the weighty words which fell from the noble Earl, Lord Dudley, in a debate at the beginning of this session. And I would venture to remind the House that Lord Dudley was a member of the Tory Government, that he was himself responsible in part for the government of Ireland under a Tory Administration, and that if he were prejudiced it is not likely that he would be prejudiced in favour of the views which generally obtain on this side of the House. Lord Dudley, in the speech to which I have referred, described coercion as—

“A policy which cuts at the root of all true union between England and Ireland, and which embitters public opinion in that country to such an extent as to render successful government difficult, if not impossible.”

He said—

“It inevitably turns discontent into real disloyalty.”

And he went on to declare that—

“There is no doubt that coercion under any Government means war to the knife in Ireland.”

If that is true of any Government, surely, my Lords, it is especially true of this Government, because the people of Ireland have been led to believe, by the utterances of leading members of the Liberal Party, that they will receive more sympathetic treatment than that which was accorded to them by their predecessors. Therefore, when the noble Marquess urges us to apply coercion in order to deal with the trouble in the disturbed districts, my answer is that it is not only a question of these particular districts. It is a question of whether you are to stir up this feeling in the country, whether you are to have war to the knife between the people and the Government of Ireland.

There is considered something rather fine and brave and courageous about a policy of coercion. Why, goodness knows! For, if you come to look into it, really exactly the opposite is the case. It may, perhaps, be easy to govern for a time if you choose to resort to methods such as these, and to my mind I am bound to say the reputation for courage which coercion carries with it would be a temptation to some men to apply it on a very slender pretext. Were I, by any horrible concatenation of circumstances, to be Chief Secretary for Ireland—and I can imagine no more terrible fate—I would certainly be tempted to yield to any pressure, however slight, to apply the Crimes Act in order to acquire a reputation for firmness and courage on such absurdly cheap and easy terms. We are urged to apply coercion and to crush down any threatened disorder by force, or, at any rate, by coercive means. Well, this may succeed for the moment, though even this, as I think is clear from the figures I quoted of the state of affairs after the noble Marquess himself had applied coercion for two years, is open to question; but you would inevitably increase tenfold the mistrust and the hatred which so many Irishmen feel to-day for English institutions and English forms of government.

If you only take thought for the present, what can be easier than for those charged with the duty of government to avail themselves of the weapons which a powerful country like ours places in their hands? Surely, my Lords, it is a far more courageous policy to look beyond the needs of the moment and to refuse to do anything which might intensify the bitterness of a people whose goodwill it is still possible you may gain, or which might, so to speak, have the effect of mortgaging the political future of the nation. Shrewd observers have given it as their opinion that before long in Ireland we shall come to a parting of the ways. Either we shall have to trust in the loyalty and the goodwill of the people of Ireland—and that there is not loyalty I, who have fought alongside Irish regiments in South Africa, refuse to believe—or we shall have to rely on government by force, which, if you are consistent, al-

though the Government of Ireland never has been consistent, must inevitably result, as was pointed out in this House by the Lord-Chancellor, in Crown Colony Government.

I venture, with all possible respect to noble Lords opposite from Ireland, to take leave to doubt whether these debates, after all, serve any very useful purpose either in Ireland or in this country. I am quite sure of one thing—that by constant repetition of these things, by constantly raising these debates in your Lordships' House, by reports in the Press, sometimes, at all events, exaggerated, the people of this country are beginning to think that the description of a particular parish, or a particular district, or a particular county in a disturbed condition applies to the whole of Ireland. The other day I came across rather a striking instance of this. A lady living in the outskirts of Dublin was engaging an English governess, and a few days before the governess was due to go over to Dublin to take up her position in this lady's household she wrote a letter stating that she was extremely sorry she was unable to go after all, as her mother would not let her, because she feared that her life would not be safe. That is the kind of impression which these repeated debates and newspaper paragraphs will, I believe, give to the people in this country.

My Lords, I have no wish at all to minimise the disturbances in these counties in the West of Ireland, and I think that in the greater part certainly of Galway and Clare the property of the grazier, if you reckon cattle as being the bulk of his property, is certainly not as safe as it is in other parts of Ireland; and from our point of view one unfortunate aspect of the case is that these deliberate outrages and this criminal folly of cattle-driving will, if persisted in, alienate and exasperate public feeling in this country, and will set the tide of public opinion flowing against a policy of conciliation and sympathy, which I notice even such a stalwart Tory paper as the *Morning Post* recommends, and it is, of course, always possible that this Government may be driven to adopt the policy recommended by the noble Marquess.

It seems to me that you have to look at this question from a broad and wide aspect, for, in spite of all the things that have been quoted, Ireland at present is hopeful and is looking for the dawn of a better day. In other parts of the world, indeed, one might say all the world over, the claims of nationality and the demand for self-government are making themselves heard. In other countries, in our own Colonies, you applaud these things; you deem them fine and noble aspirations, and if it lies in your power you do what you can to assist in their realisation. But to Ireland, with all the bitter memories of the past still rankling in her mind—to Ireland, if we adopt your policy, we are in effect to say, "Let there be war, and war to the knife between the Government and the people," and all this in order to allay temporary disturbances and check local disorders, grave enough, I admit, in themselves, but symptoms, after all, of a still graver disease which only years of patient, sympathetic, and courageous treatment can ever hope to remedy or cure.

LORD ASHBOURNE: My Lords, I listened with close attention to the speech which has just been delivered by the noble Lord who represents the Irish Government, trusting that he might have been able to hold out some hope that the Government had realised at last that it was necessary to do something. That was not a very extravagant expectation, but what have we had? All that the noble Lord did was to express the hope that when the people of Ireland realised that the Government were in earnest—they appear not to have realised that up to the present—we might then expect to see some tremendous change. Then the noble Lord intimated that it would be an appalling thing to have war to the knife, and that the Government would not resort to a policy such as that, at all events for the present.

Now, what are the realities of the situation? Are we to lose sight of the speech of my noble friend the noble Marquess beside me? The noble Lord who has just sat down indicated a great desire to make a contrast between the

state of the country in 1889 and in 1908, but that is not germane to the question. The contrast I would make is between the time the present Government came into office, three years ago, and the present moment. The question is, Why have the Government allowed the country to get into such a state; and what are they going to do? The noble Lord used the word coercion. It is a word that some people like to use as if it meant a great deal more than in substance anyone can ascribe to it. It is not suggested that all the clauses of the Act of 1887 should be applied. Attention has been drawn over and over again to one particular clause in that Act which enables two magistrates to deal with unlawful assembly and riot. If that clause had been applied, cattle-driving would have ceased in a week, and Ireland would now be absolutely quiet.

The contrast I make is between December, 1905, and the present time. Mr. Long was then Chief Secretary. He is the last man in the world who would seek to have praise given to him, but it cannot be denied that he proved himself a straightforward, manly English gentleman who knew his own mind and was direct in his purpose. When Mr. Long was in Ireland, law and order were held in respect. It was known that the people administering the Government would not tolerate disrespect of the law. When the Government of which the noble Lord is a member came into office it found Ireland comparatively quiet; there was no coercion that could be so-called; the clause of the Crimes Act to which I have referred was in occasional operation whenever needed; the police were not discontented; and all this was taking place at a time when there was no Irish Nationalist sympathy with the Government. We could not rely upon the popular sympathy which the present Government have done so much, they think, to enlist. But when I turn to the Irish Nationalist Press and read the reports of meetings that take place in Ireland, I do not find that the absence of anything effective to maintain law and order has won for the Government a single particle of popular esteem or sympathy.

*Lord Denman.*

No one can question the position in which the Government found Ireland when they came into office. Is not Mr. Bryce's testimony written large? Mr. Bryce's testimony before he went to America—he was, I have no doubt, very glad to go there, and I am not at all sure that Mr. Birrell would not like to follow him—was that when he came into office the condition of Ireland was satisfactory. Later on, when it came to Mr. Birrell's turn to raise his voice, he left Mr. Bryce nowhere. He said that Ireland had not been so peaceful, contented, and tranquil for 600 years. This was the testimony of your own Minister. I do not know a people in the world who can take the measure of a man quicker than the Irish; they know when they are face to face with a man who means to govern and knows how to govern, and when they are face to face with a man who cannot or will not govern. Therefore, after a time lawlessness naturally assumed a prominent position, and crimes, intimidation, and boycotting developed daily. Then came a new form of crime in the shape of cattle-driving, which advanced by leaps and bounds. If cattle-driving had been faced and met with resolute action in the first month of its existence it would have been promptly put down.

When attention was called to the matter in Parliament, Mr. Birrell said he would have nothing but the ordinary law. Give him time, he said, and he would be able to achieve the necessary result by the ordinary law. Abundant time has been given; the ordinary law has been tried and has failed, as everyone knew it would fail; jurors cannot be relied upon, and ordinary magistrates cannot adequately deal with the situation. The state of the country has become worse and worse, and there is a kind of paralysis in the administration of justice. Is this to go on for ever? Will not the Government try the section of the Act to which their attention has been drawn and which is known to be efficacious, instead of pottering with the ordinary law, which they know is inappropriate, and furbishing up Statutes of Edward III. and William IV.?

The noble Marquess has referred to the statements of Judges that binding to the peace is not efficacious, and it

has been declared by one Judge to be an imposture. Surely this is a very serious state of facts, bearing in mind that it is not suggested by Lord Denman that it is intended to do anything more vigorous in the future than has been done in the past. Meanwhile open contempt of the law is expressed in Ireland and scorn for those who will not govern but leave matters to go on as at present. I read recently a statement by the Recorder of Galway, who, speaking with great knowledge on the subject, said it was impossible now to get process servers on account of the fact that men acting in this capacity carry their lives in their hands. That is the state of things we are asked to accept tranquilly whilst the Government are waiting to be thought by somebody to be earnest about something. Can your Lordships appreciate the state of things in some parts of Ireland? Have you ever tried to realise in your own minds what boycotting is? The victim is not allowed to be supplied with the necessaries of life, he is not to be spoken to by his neighbours, he is shunned in fair and market.

The noble Lord boasts that all Ireland is not in such a terrible state as the eight counties. Are not eight counties enough to be in the awful state that has been described? The other day I read of an application made to the vacation Judge sitting in Dublin that some other method should be adopted for serving writs as no process server could be found. The post was mentioned, but the postman's life would not be safe if it were known that his bag contained writs, and permission was sought to serve by posting in some public building in the locality. And this is going on within a few hours travel from London, and the Government have said nothing to indicate that they intend to grapple with and put an end to this scandalous state of things. Lord Denman referred to uneasiness about congestion. That will not do. Congestion is a word we are getting very familiar with. When we see the Report upon congestion we will deal with it in debate, and deal with it, I hope, adequately and efficiently. I will not now enter into any discussion



of Lord Dudley's language. I had the responsibility of following him in the debate to which reference has been made, and I expressed my opinion with reference to his words then, though on consideration, I think I might have said more. What has been said on the subject of congestion does not meet the case. We are now dealing with cattle-driving and lawlessness. Meath was one of the quietest counties in Ireland; it was most sparsely peopled, it had splendid land, and was crimeless; yet under the beneficent sway of the Government who are always waiting for something to turn up it became, last year, one of the most lawless parts of Ireland without any congestion to rely upon for the scandalous and repeated cattle-drives that took place there.

I never enjoy figures, though I once had the honour of being connected as hon. secretary with a statistical society; but I will give one figure because it is very symptomatic. I read, a couple of days ago, an answer given in the House of Commons in which it was stated that from March to September, 1905, the awards for malicious injuries amounted to £506, whereas in the corresponding six months of this year, under the beneficent sway of the present Government, that sum had gone up to over £10,000. Can your Lordships conceive a more significant fact than that? Is it not also strange that while the Government are hoping everything and doing nothing the people who have not yet come to believe they are in earnest will not stay in the country? While in 1905, emigration reached the very large figure of 31,000, last year the figure had gone up to 39,000. The noble Lord said something about the police. The police in Ireland are a splendid body of men. I hope they will never have to lose confidence in the Government. It is they who ensure respect for the law. Let them feel that they can respect the Government. The result of waiting and doing nothing has been that lawlessness and outrage have increased, and the maintenance of the police cost an additional £47,000 last year. It is very expensive not doing the right thing. If the Executive had applied the one section

*Lord Ashbourne.*

of the Act of 1887 to which I have referred, much of that would have been saved and Ireland would be quiet.

Is it fair to keep Ireland seething in the present state of lawlessness? Has any Government a justification to keep it in that state when they have a remedy ready to their hand if they would but use it? The noble Lord said it was a sign of splendid courage not to use it. Many a man has been shot for such courage after a battle. It is said that it is no sign of courage to use the coercion Act. I do not say it is. I do not claim any praise for the Government of Mr. Long for using the clause I refer to, but every Government, I care not what it may call itself, should rise to the dignity of trying to do its duty, and the first duty of a Government is to maintain law and order. His Majesty's present Government have not done that. They have asked for time to try the Statutes of Edward III. and the ordinary law, and Ireland is now in the state which my noble friend has described.

It is never too late to mend. Although Ireland is, in many of its counties, in a bad state, I believe that if the remedy the Government have at hand were applied with nerve and energy peace and quiet would return, but the Government must realise that something has to be done and done at once. It will not do to tell us to wait for the debate on the Report as to congestion. It will not do to wait until the people find out that you are in earnest. It is necessary to act now if you want to cope with the disorders that exist. The Government have been looking on for a long time doing nothing. Do they not think that the time has arrived when they might cease talking of a future that may never come, and try to act in the living present to restore some respect for the administration of the law?

\*LORD MACDONNELL OF SWINFORD: My Lords, I did not come down to the House this evening intending to take any part in the debate on the maintenance of order in Ireland, although it was my intention to ask your permission to make a few remarks on another aspect of the Irish question. But, responding to the invitation of the noble Marquess



I venture to say that I have listened to the debate with feelings of great depression. I listened to the impeachment of the noble Marquess and to the defence of the noble Lord, both of which were conducted with accustomed ability, and the impression left upon my mind was that the cause of good government in Ireland would be furthered neither by the impeachment nor by the defence. I know the West of Ireland well—I have recently had an opportunity of perfecting my knowledge regarding it—and I can assure your Lordships that the feelings which animate the people in that part of the country are due, not to any innate wickedness of their nature, or to disloyalty to the Crown, but entirely to the slow operations of land purchase, especially in regard to congestion.

As to the policy pursued by the Government in regard to crime in Ireland, I think that a sharper method of treatment for those who instigated cattle-driving would produce better results. But there may be doubt as to whether it is better to ignore men of that description, fanatics and instigators of misconduct, or to treat them sharply in the beginning and so suppress them. My own feeling leans to the latter method of treatment; but, whatever your Lordships' judgment on that question may be, I feel that it must be in any case a judgment on a side issue. The real issue which to my mind is raised by this debate is not whether cattle-driving or boycotting should be treated in one way or another, but how best to push on and complete the work of land purchase in Ireland. I firmly believe that in coercion you have no substitute for land purchase, and that in land purchase you have a complete remedy. Therefore is it not better and more statesmanlike and more profitable for the Empire, that, instead of wasting your time on such debates as these, you should endeavour to rescue the Government from the *impasse* to which they have come with regard to the provision of funds for land purchase? I came down to the House with the intention of making some observations on that subject. I do not know whether I should be in order now in pursuing my comments. If I am considered to be in order I propose doing so.

What is the present position of affairs in regard to land purchase? Briefly it is this: when the Act of 1903 was passed it was thought by the Government of the day that £100,000,000, with the grant of £12,000,000 as bonus, would suffice; but experience has shown that at least £150,000,000 will be required to complete the work, and the root difficulty at the present time is how this money should be provided. Up till now £25,000,000 in round numbers have been actually paid to landlords under the operation of the Act, leaving £125,000,000 still to be provided. Of that sum of £125,000,000—I speak in round figures, but I do not think I shall be out in any case more than a £1,000,000—agreements covering some £45,000,000 to £50,000,000 have been deposited with the Estates Commissioners. This question divides itself into two parts—first, how should those agreements be financed; and, secondly, how should the remaining £80,000,000 be provided. I will submit to the House my view with regard to each.

I presume that the agreements now deposited with the Estates Commissioners must be dealt with under the strict terms of the Act if the landlords, or the vendors, insist upon it; in other words, the money must be provided and cash paid unless the vendors agree to a variation of the contract. Assuming that no variation in the terms of the contract is agreed to, the difficulty is how to provide the cash. It is understood that by the end of this month a time will have arrived when a different course to that hitherto followed must be pursued in regard to land purchase finance. To the course to be followed later, I will presently refer. But limiting myself to the period before the 1st of November I think that if the balance of the bonus fund which, amounting to £4,000,000 or £5,000,000, would remain after the distribution on the Agreements now deposited had been made, is allocated for the flotation of loans, the Government will be able to pay off the £45,000,000 of deposited agreements, and to consider what new arrangements should be made to promote land purchase. The consideration of that problem should, I think, lead it to conclude that—after the 1st of November—it will be impossible

to pay the landlords in cash. But if a scheme were devised under which a loan at 3 per cent. could be floated, which would stand at about par, the landlord could be paid in stock from which if he did not wish to keep the stock he might readily realise the price to which he was entitled for his land.

The floating of a loan at 3 per cent. would necessitate an additional charge upon the tenants; their annuity would be  $3\frac{1}{2}$  per cent. instead of  $3\frac{1}{4}$ . On the other hand, the probability is that the landlords would receive from one to two years purchase less than they had received hitherto; but I cannot regard that as a substantial hardship. It never was expected when the Land Act of 1903 was being framed that prices would go so high as they have. It was always thought that the average price would be about twenty-two years purchase, which, with the bonus, would be about twenty-five years purchase, a higher price for land than had been paid in Ireland theretofore. If this scheme is accepted the Government will be able to raise its loans with less or at very little less and pay the landlords a price of about twenty-five years purchase.

The only thing required to make the arrangement complete is that the Treasury should be a contributing party. If the landlord and the tenant both contribute something, it is only fair, when a great national settlement of this sort is under consideration, that the Treasury should take its part. I do not think it will be a satisfactory settlement if differential treatment of landlords is introduced, giving a larger bonus to those who sell before a particular date and a smaller bonus to those who sell afterwards. If the Treasury would come forward and secure that the same amount of bonus should be paid to the landlords in the future as has been done in the past, by advancing another £6,000,000, more will be done for the peace of Ireland than by any number of Coercion Acts. Coercion as a remedy has always failed. My experiences in the West of Ireland have burnt this into my soul, that coercion will only exasperate still more the people who are now imploringly stretching out their hands to this country, in

*Lord MacDonnell.*

the hope that at last peace and amity may dawn for them.

\*THE EARL OF MAYO: My Lords, after the interesting speech of Lord MacDonnell on the subject of the finance of the Land Act of 1903, I desire to bring the House back to the question put to the Government by the noble Marquess, Lord Londonderry, regarding "the lawless condition of certain parts of Ireland." I do not wish to do so in any Party sense. I would much rather talk of other things than the condition of certain counties in Ireland, but we who live in Ireland cannot sit still and say nothing while the responsible Government take no steps to suppress the disorder. Lord Denman made the important admission that the present state of certain parts of Ireland was worse than at any time since the present Government had been in office. I think that is an important admission to have got from my noble friend. Personally I live in a part of the country that is quiet, and in peace with my near neighbours, my late tenants. Others are not so happily situated.

This is no question of religion, which is so often in Ireland the cause of discord, hatred, and even outrage, for during the time the present Government have been in office a priest's house has been fired into and a priest's cattle have been driven off his lands. This only shows that a lawless spirit has crept into the minds of the young men which did not exist before. I ask, Who is responsible for the state of certain counties in Ireland? Nine have been proclaimed under the Act of William IV. There is one man, and one man alone, who is responsible—the Chief Secretary; and I often ask myself what evil genius sent us the present Chief Secretary and what demon of unrest possessed the souls of those who appointed him.

What has happened during the rule of the present Chief Secretary? From March to September, 1905, the malicious injury claims amounted to £506; from January to June, 1908, they amounted to £10,178. These are claims made upon the counties for injury done through driving cattle and burning barns and hay sheds, etc.

The police have been increased by the present Government by 750, at an annual cost of £47,000. It has been pointed out that half of this cost is charged on the counties; but the other half is borne by the Imperial Exchequer, and that is a point to be remembered by the English taxpayer. The Chief Secretary, speaking in England, has over and over again tried to throw dust in the eyes of the English electorate by saying that Ireland was never more peaceful than it is at present. At Halifax, on 26th April, 1907, in what is known in political circles as the "carrion crow speech," the Chief Secretary said—

"Ireland is at this moment in a more peaceful condition than for the last 600 years."

It is quite true that Irishmen are not being ruined and murdered as they were under the Tudors, nor is there a Cromwell in Ireland burning and slaughtering the people. Comparisons are odious. Surely in the twentieth century we may expect civilised rule and law, order and progress to be maintained in the land. Only the other day—on 18th July—at Port Sunlight, the Chief Secretary said, speaking of Ireland—

"Now we got a great body of impartial persons, presided over by the late Tory Lord-Lieutenant of Ireland, and he and all his companions, Tory landlords among them, combined and came to this unanimous conclusion, that, after all, these poor people were right and the Government were wrong in withholding the land."

First, let me say a word with regard to the Tory Lord-Lieutenant. Your Lordships heard Lord Dudley's speech before he left this country to go to Australia. I do not think it gave us the impression that he was a Tory Lord-Lieutenant of Ireland. The reference to his companions, the Tory landlords, includes, I suppose, Mr. Kavanagh, who was a member of that Commission. Mr. Kavanagh now represents a Nationalist constituency, and will, no doubt, vote for Home Rule like noble Lords opposite. Therefore I contend that the Chief Secretary's statement was made to throw dust in the eyes of the English electorate.

It is an outrageous thing that a man in the position of Chief Secretary should practically say to the people of Ireland that to agitate to get what was not their

own by means of boycotting and outrage was a right thing for them to do. That is how it was construed. I hold that that is a monstrous creed. The power of the Chief Secretary is absolute. He has officials under him who have to obey his behests with the utmost subserviency. He can make or mar a man's career in Ireland, and he has, besides, enormous patronage. Now let me state how he discriminates in precisely similar offences between different classes of citizens. Mr. Farrell, M.P., held a meeting on 4th October at Moydon Cross Roads in County Longford, and openly advocated the boycotting of Mr. Henry Bruce Armstrong, a local landowner who declined to hand over his property to the League. As the direct result of his speech Mr. Armstrong's cattle were driven off his farm. This is precisely what occurred in County Clare in the case of Mr. Dermott O'Brien, who was arrested by the police and is now in prison in default of giving bail to be of good behaviour. Up to the present the Chief Secretary appears to have taken no action in the case of Mr. Farrell. Why on earth is not a Nationalist M.P. who is guilty of inciting to boycotting treated in the same way as Mr. O'Brien? It is difficult to conceive on what principles of law or equity a Member of Parliament in Ireland can defy the law with impunity, while other persons are put into prison for practically the same offence. This is one example of the present Chief Secretary's rule in Ireland, and of his method of dealing with boycotting and the driving of cattle. In answer to a question on the subject of boycotting, the Chief Secretary informed Mr. Long the other day that on 29th February last there were thirty-seven persons wholly boycotted, whilst on 31st August last the number had gone up to seventy-five, or more than double. The happier era which has been referred to will only come in Ireland when the law is properly administered and these blackguards are kept in order. We wish these plague spots adequately dealt with. It is because the Government think that a little cheap popularity will go a long way with the Nationalist Members in the House of Commons that this is not done. I will quote what an Irish Judge, Mr. Justice Kenny, said

at Galway, on 20th July on this subject. He said—

“It is lamentable to think of the perpetual dread of outrage, misery, and wretchedness that must enter into the lives of these unfortunate people who have to pass their existence under such conditions.”

I know from my own knowledge that some of these places are a “hell upon earth.” Lord Denman told a story of an English governess. I know of a case of a lady’s maid who went over to spend her holiday with friends in Ireland. She said she walked alone, being afraid to speak to any one on the road in case that person had been boycotted. She said the place was like a desert, everybody being suspicious of everybody else, and her holiday, such as it was, very soon came to an end. I put that alongside the noble Lord’s story.

I have other instances in my hand showing the failure of the “ordinary law” and how this leniency has been interpreted as cowardice and connivance, but I will not delay your Lordships further. The only conclusion at which we can arrive is that it would be better for Ireland if the present Chief-Secretary—I speak of him only in his official capacity—could find some more congenial work in another political sphere. I am sure he would be less harassed, and we in Ireland would be greatly relieved. What is wanted is a Chief Secretary who is not afraid to administer the law—a strong man who will and can rule, and not a witty cynic.

VISCOUNT MASSEREENE: My Lords, the noble Lord who replied on behalf of the Government commented upon the fact that once more we had listened to speeches about lawlessness in Ireland, and that there was much similarity in the remarks. No one regrets more than I do the fact that your Lordships had to listen to those speeches. I can assure the noble Lord that we who come from Ireland do not consider it a pleasant task to speak in this House upon the condition of certain parts of that country. We do not do so from any sense except that of duty. The noble Marquess who initiated this discussion knows Ireland well and is fully competent to call attention to this matter. I should like to ask His Majesty’s Government one question. There are nine

counties proclaimed in Ireland, and extra police engaged who are costing the people of Ireland a certain amount of additional money. How many more counties will have to be proclaimed before the Government take stronger steps to put an end to this lawlessness, assuming that the disorder does travel to additional counties?

There is one aspect of this case which I do not think has been presented, and I would put it in this way. Ireland is not a rich country, she has no great manufactories, no coal, no iron. Almost her staple industry is that of the raising and selling of cattle. This cattle-driving is doing that trade enormous harm. It is affecting a considerable number of people, and the trade is going down in many parts owing to these outrages. How long, I ask, is this to be allowed to continue? We see the trade gradually diminishing and the people who live by this industry becoming bankrupt. It seems to me that that is a most serious aspect of the case. Speakers far more able than myself have dealt with this question, but I should like specially to direct the attention of the Government to the financial loss that is accruing to the whole community in Ireland owing to the fact that one of her staple trades is at the present moment in a critical condition.

THE EARL OF DUNRAVEN: My Lords, I have no desire to cavil at the facts and figures put before your Lordships by my noble friend who opened the debate, and I certainly have no intention of expressing any opinion on the very difficult subject as to what is precisely the best way of dealing with the unfortunate, but, after all, sporadic cases of disorder that are occurring in Ireland. I only wish to say two or three words in protest against the inference that I fear is sure to be drawn from this debate in England as to the general condition of Ireland.

When a debate on this subject, of which we have had a great many in this House, is introduced by so important a member of the late Administration and inaugurated from the front Opposition bench, the attention it attracts in the country must be very

*The Earl of Mayo.*



great, and the people of England are naturally unacquainted with the real condition of Ireland. It is perfectly true that the noble Marquess, Lord Londonderry, confined himself in his Question to the lawless condition of certain parts of Ireland, but it is exceedingly difficult to confine one's remarks to any particular area. Even my noble friend himself in his speech spoke on several occasions of the "disorderly condition of Ireland," when, of course, he meant certain districts only.

The fact that these debates are raised and that literature is constantly cast upon the people of Great Britain narrating every conceivable occurrence in Ireland which by any possibility can be considered to be disorderly must have the effect of presenting a perfectly false picture of the general condition of Ireland. It is the easiest thing in the world to do that. Supposing anyone made out a list of all the lawlessness and disorder that had occurred in Great Britain itself during the last few years, they could convey a quite erroneous impression of the general state of this country. It would have to be stated that thousands of respectable householders in Great Britain refused to obey the law as a protest against the Education Act, and only the other day nearly the whole force of the Metropolitan Police was engaged in protecting the sacred precincts of Parliament. In regard to unemployment, council chambers have been stormed, and riot and disobedience to the law have been openly preached and riots have occurred not only in London, but in the provinces as well. Then there have been cases of gross municipal corruption. What inference would anyone not knowing England draw after hearing of these things?

I do not say one word condoning cattle-driving or the other offences referred to, but there is one peculiarity with regard to cattle-driving which ought to be mentioned. It has been denounced from the altar—that is not singular; but I think it is singular, though, perhaps, not absolutely novel, that it has been denounced also from the platform. Politicians, leaders of

the people in Ireland, have spoken out strongly against cattle-driving, and it is not at all a popular pastime in Ireland. The great bulk of the people are against it. They see the idiotic folly of it and realise the expense it involves on the rates.

It ought not to be quite lost sight of that Ireland is passing through a great revolution in land tenure, and even if that revolution had been allowed to conduct itself as it might have done perfectly quietly, it would be almost, I think, unreasonable to suppose that so great a change could be accomplished without any sporadic cases of disorder occurring. Unfortunately the Land Act of 1903 has not had a fair chance. It has been violently opposed by forces in Ireland whose main desire seems to be to keep that country in a condition of perpetual disorder, and it has, unfortunately, been allowed to become blocked for want of sufficient financial support, and sufficient staff, and possibly through faulty administration. It is inevitable that the deadlock that has taken place in the Land Act must have caused an accentuation of crime in the direction of agrarian disorder. I agree with every word that Lord MacDonnell said on that point, and I most sincerely hope that His Majesty's Government will realise how completely the whole future of Ireland—social, industrial, and economic—depends upon the Land Act of 1903 proceeding with unnecessary friction and with reasonable speed. I think these matters ought to be considered.

It should not be lost sight of that, after all, there is, according to population, less crime in Ireland than in any other of the component parts of the United Kingdom. I do not desire to labour the point. I merely rose to make my protest against the inference that will be drawn from this debate. I agree with Lord MacDonnell that your Lordships on this side of the House would be better employed in centreing all your energies on endeavouring to persuade His Majesty's Government of the necessity of removing the deadlock in regard to the Land Act. I hope that in the report of my noble friend Lord Londonderry's speech the reporters will be careful to make it perfectly plain that he was referring only to certain districts



in Ireland, for otherwise I feel sure that throughout England generally the impression will be formed that the whole of Ireland is in a state of considerable disorder. The popular party in Ireland, the people who want peace, conciliation, and quiet development of their business, and who are in favour of law and order are strong and are becoming stronger day by day, but they have a hard fight before them, they have considerable forces to contend against, and it is absolutely necessary, at any rate it is most desirable, that they should have the sympathy and support of the people of Great Britain on their side. Consequently I deprecate anything that could possibly present a false picture before the people of Great Britain as to the state of Ireland, and which might have the effect of alienating their sympathy.

**\*THE MARQUESS OF LANSDOWNE:** My Lords, the noble Lord who represents the Irish office observed early in the debate that in his opinion these discussions on Ireland served no useful purpose. That is true up to a certain point. I am afraid that, so far as His Majesty's Government are concerned, these debates do not serve any useful purpose, because the Government are, if I may be allowed to say so, impervious and incorrigible. We have had to-night all the old formulas to which we have so often listened as to the iniquity of what Ministers are pleased to call coercion and, worse than that, we have had again the use of that equivocal language which almost in the same breath condemns these outrages and offers an excuse for them.

The noble Lord told us with unction that he did not excuse or exculpate the individuals who were responsible for these deeds, but he went on immediately afterwards to draw a picture of the state of Ireland which was evidently intended to produce on our minds the impression that, while these poor people might be very misguided, yet there was, after all, a good deal to be said for their view of the case. But although I am afraid these discussions may not produce any great effect upon His Majesty's Government, I think they are useful so far as the impression which they will produce on the

*The Earl of Dunraven*

public mind is concerned. They will enable those who read the reports to judge for themselves of the manner in which His Majesty's Government have discharged the important trust committed to their hands in Ireland. My Lords, there has been no attempt to challenge the statement of facts laid before the House by my noble friend who sits behind me. The noble Lord who spoke for the Irish Office admitted very frankly that the condition of that part of the country about which we are speaking to-night is at this moment worse than it had ever been during the time in which His Majesty's Government have held office. That is my noble friend's case, and we have it admitted by the representative of the Irish Office. He could not do otherwise, because my noble friend confronted him with the statements made by the learned Judges in Ireland one after the other—statements which went to show that disorder in that particular part of Ireland was more prevalent than ever, and that the amount of immunity attending it was greater than it had ever been. You cannot brush aside evidence coming from such a quarter as that, and therefore, I say my noble friend behind me has proved his case and proved it up to the hilt.

My noble friend who spoke just now, Lord Dunraven, insisted that we should be very careful to avoid misleading the public as to the condition of other parts of Ireland. But the noble Marquess was careful throughout his speech to make it clear that he was only talking about the particular eight counties in which cattle-driving prevailed. The noble Lord opposite told us, indeed, that one single county was responsible for the greater part of these disorders. If that is the case surely there are two conclusions that one may draw. The first is that if the symptoms of disease are so acute, and are concentrated in this particular district, it is the duty of His Majesty's Government to deal with these occurrences just as a sanitary authority would deal with a particularly insanitary, although, perhaps, small area in a great city; and the second is that the mere fact of the trouble being concentrated in a particular district, not, perhaps, a very extensive one, renders

it easier for the authorities to deal effectually with it if they set their hand to the task. When, however, we admit that these occurrences are limited to certain parts of Ireland, let us remember that cattle-drives naturally do not take place in parts of Ireland where there are no large herds of cattle to drive. Therefore, I rather doubt whether His Majesty's Government are entitled to take so much credit as they do for the peacefulness of other parts of the country. There is another consideration which should never be lost sight of when we are discussing these matters, and it is this—that there are parts of the country in which things are comparatively quiet, for the reason that intimidation prevails so completely in them that there is no friction or apparent trouble on the surface.

We lay the responsibility for the condition of things in these eight counties to the charge of His Majesty's Government, because, in the first place, they have most unwisely allowed it to appear that they are to this extent in sympathy with these cattle-driving operations, that the goal which the organisers of those operations desire to reach is the same goal at which they also desire to arrive. That has been laid down again and again in distinct language by the Chief Secretary. At the beginning of the present year he announced that what really occupied his mind and caused him most anxiety was how the grass lands of Ireland could be broken up and distributed among the people who required them for a livelihood. That was, to my mind, a very incautious and thoughtlessly proclaimed policy, because the breaking up of the grass lands all over Ireland means the breaking up of a particular form of industry without which the agricultural system of Ireland regarded as a whole cannot possibly be successful. That is one reason for which we regard His Majesty's Government responsible.

But there is another reason—a reason which has been dwelt upon by previous speakers this evening. His Majesty's Government have deliberately abandoned the means with which Parliament has provided them for putting down these illegal operations. They have given up the Peace Preservation Act, which one Chief Secretary after another has re-

garded as indispensable for the government of Ireland and which they found in operation when they assumed office in certain districts which had been proclaimed, not by Unionist or Conservative Governments, but by Liberal Governments and by Liberal Chief Secretaries. They gave that up. The result is that you find a marked increase in the number of outrages in which firearms have been used. Everybody knew that that result was likely to happen, and it did happen.

Then there is their failure to avail themselves of the provisions of the Crimes Act and their fatuous desire to rely exclusively upon what they are pleased to call the ordinary law. The Crimes Act is part of the law of the land; it is on the Statute-book, and there are parts of it—parts which would be most effective for putting down cattle-driving—which can be made use of without any proclamation and without resort to anything which can properly be described as inconsistent with the ordinary law of the land. Instead of using this effectual measure, His Majesty's Government are relying upon old Acts of Parliament which differ in this from the Crimes Act that, while their procedure is in certain respects less favourable to the person put upon his trial, on the other hand the penalty imposed is an ineffectual and derisory penalty, while the tribunal is a less efficient tribunal than that to which you can appeal under the Crimes Act. That is the difference between the two. His Majesty's Government have deliberately preferred an old and ineffectual law to the law which is ready to their hand, and which would give them an effectual remedy for the trouble with which they have to deal.

We were told that on former occasions the application of the Crimes Act had not had the desired effect, and noble Lords opposite declare that they are afraid of setting it in motion because they think its application is likely to increase the volume of crime. My Lords, did it increase the volume of crime when it was set in force before? It has been shown, on the contrary, that the application of the Crimes Act resulted in diminishing the volume of crime. We had an interesting speech, and one which, if no other speech did so, would render

this debate memorable, from Lord Mac-Donnell, and I hope that your Lordships will take note of the statement that fell from him at the outset of his remarks. He told your Lordships, speaking with intimate knowledge not only of the facts as the public knows them, but of the under-currents which were then moving in the Irish political world, that he personally would have been in favour of using what I think he called sharper methods in dealing with the principal instigators of these crimes. But the advice of the trained administrator was brushed aside, and His Majesty's Government preferred to be guided by the advice of their Attorney-General.

We know what the policy of the Attorney-General in regard to this question has been. It is the policy founded upon what His Majesty's Government are pleased to describe as sympathy with the Irish people. Let me tell them that I for one am deeply convinced that what the Irish people sympathise with more than anything else is a strong Government that knows its own mind. I doubt whether your so-called sympathetic treatment has won you very much genuine affection, certainly not very much genuine respect from the people of Ireland. The noble Lord who spoke for the Irish Office gave us, however, a very candid and very interesting piece of information as to the real reason for which this policy, this feeble policy, was preferred by His Majesty's Government. He told us that the people of Ireland had been led to believe by the public utterances of leading Members of the Liberal Party that His Majesty's Government would refrain from coercive measures. So that it really comes to this, that disorder is to be allowed to remain rampant in eight counties, honest people are to be persecuted and their lives made unbearable, because, forsooth, presumably, before they took office, the leading Members of the Liberal Party had announced that it was their intention to refrain from using those weapons which lay ready to their hand.

I venture to describe that as a fatuous policy. It is a policy which was initiated as an experimental policy, but the experiment has been a miserable failure. It was recommended by the Attorney-General

on the ground that he desired to associate the people with the administration of the criminal law. My Lords, I wonder whether His Majesty's Ministers seriously believe that in County Clare you are likely to get efficient administration of the criminal law by associating the peasantry of that county with that administration. Can the noble Earl who will follow me lay his hand upon his heart and say that with his knowledge of Ireland he believes for a single moment that an attempt to associate the people of County Clare with the administration of the criminal law is likely to serve the interests of order and justice?

There are not many ways in which you can associate people with the administration of the criminal law. You can make some of them magistrates. You have made a good many of them magistrates in Ireland; some of them are magistrates *ex officio*. Will the noble Earl tell us that he has found these *ex officio* magistrates very valuable allies in the administration of the criminal law in County Clare? Another way—and a very valuable way—is to employ the people as jurymen. What do we know of the result of trial by jury in that part of Ireland? Whenever you do associate the people with the administration of the criminal law the result is that they make the criminal law of no effect. I am told—I believe it is the case—that there has not been a single conviction for agrarian crime by a common jury in the West and Midland counties since His Majesty's Government came into office. As to juries, the Irish Government have ceased to rely upon them. They do not dare to put an accused person before a jury. The result is that there have been 413 cases of cattle-driving reported in six months, and in no single case has the accused person been put before a common jury. That is an illustration of the results of endeavouring to associate the people of a disorderly district with the administration of the criminal law in that district.

We have been told that the object of His Majesty's Government in this exhibition of extraordinary and misplaced leniency is to produce a healthier feeling in the disaffected parts of Ireland. I confess I see no signs of the growth of

*The Marquess of Lansdowne.*

that healthier feeling. Perhaps the noble Earl will be able to tell us whether his diagnosis differs from mine. But whilst His Majesty's Ministers are waiting for that healthier feeling to grow up, law-abiding citizens are being ill-treated and persecuted and the public is losing that respect for law and order which is a condition of civilised government all over the world. In order to promote that healthier feeling we are to have more Irish legislation. A Bill is to be produced, founded upon the Report of the Royal Commission presided over by Lord Dudley. I shall, of course, not attempt to anticipate the contents of that Bill. I will only say this, that I hope the framers of it will read, mark, learn and inwardly digest not only the main Report of the Commission, but also some of the documents attached to it, and notably the separate Report made by my noble friend on the back benches and another extremely valuable document attached by Sir John Colomb.

My noble friend Lord Dunraven referred to legislation of another kind, with which I confess I am much more in sympathy—I mean legislation dealing with the question of land purchase. I do not think I should be quite in order if I were to enter at length into that subject. I only desire to express my entire concurrence with what fell from Lord Dunraven and from Lord MacDonnell when they told us that it was all important that no interruption in the steady progress of the purchase of land in Ireland should be allowed to occur.

But before I sit down let me say this one thing with regard to Irish legislation. Do not believe that any legislation, whether it is the Bill which we are told to expect, dealing with the question of congestion, or any measure dealing with the question of land purchase—do not expect that any legislation affecting Ireland will succeed unless the Government of the day make up their minds to maintain law and order in that country. Your remedial measures will fail if you allow the attention of the public to be distracted from them by the kind of occurrences which are happening every day in Ireland at the present time. Those who are respon-

sible for the government of Ireland must be aware that, even in regard to the particular matter of relief for the congested districts, it may be necessary for them to deal with a very firm hand indeed with the forces which operate in Irish agricultural society. It has already been made abundantly clear that there is likely to be a fierce and bitter struggle for the possession of these grass lands between the people who inhabit the congested districts in other parts of Ireland and those who, living in the grazing districts, have not got farms themselves and are described as the landless men. You will have a fierce struggle between those two, and unless you are prepared to hold the balance with a firm hand your legislation will fail. I daresay some of your Lordships may have seen in the newspapers an account of a visit paid by a Government inspector to some untenanted land which had been acquired by His Majesty's Government for the purpose of finding room for people from congested districts, on which occasion the men on the spot rose and I believe, hunted the inspector off the land in such a manner that he had to retire without completing the duty which he had been set to perform. The first duty of His Majesty's Government is to see that the law is respected and to protect those who obey the law, and if they fail in the future, as I am afraid they have failed in the past, to secure obedience to the law, then I do not believe that any of their remedial measures are likely to have fair play or to be successful.

\*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, it would be affectation if I were to pretend to be surprised that the subject of the administration of Ireland should once more be debated in your Lordships' House. I make no complaint of the action of the noble Marquess in introducing it, although I am in general agreement with my noble friend behind me and also with the noble and learned Lord the Lord Chancellor that there is some risk that harm may be done both in Ireland and in England by debates of this kind.



But on one specific point I do make a very distinct complaint against the noble Marquess. In the course of his speech the noble Marquess challenged my noble friend behind me, Lord MacDonnell, to state his opinion and give a justification of the policy which was pursued when he was Permanent Under-Secretary in Ireland. To do that would be, to my mind, a breach of political propriety. I would like very much to know what the noble Marquess the Leader of the Opposition would say if, on a question of foreign politics, we were to appeal to Lord Sanderson and call upon him to justify the foreign policy of the Government at the time he was Permanent Secretary. We are all proud to see in this House men like my noble friend and Lord Sanderson, who have filled high positions in the Civil Service, but I do not think any of us are entitled to cross-question them as to the policy pursued by the Departments of which they were formerly members.

I fully admit that, so far as certain districts in Ireland are concerned, a condition of very considerable gravity prevails, and that, as my noble friend behind me frankly admitted, the condition there is less favourable than it has been during the last two years. But it is necessary to make certain reservations on that point. The noble Lord spoke of eight counties as though the whole were in a condition of active disturbance. That is not the case. The disturbances are sporadic. They break out first in one place and then in another. There are parts of some counties which were much disturbed a year ago and are now in a state that may properly be described as quiet; on the other hand, there are new districts in which disorder has broken out to an active extent. It is necessary, therefore to make that caution.

It is also necessary to make another caution. The noble and learned Lord opposite, Lord Ashbourne, spoke as though crime in Ireland were a fixed quantity, and as though the liquid rose and fell in the tube according to the application of particular legal measures; but crime in Ireland depends, and always has depended, on the particular condition

of things at a particular moment. Therefore comparisons of one period with another are of very little value. The noble and learned Lord said triumphantly that when Mr. Long left office Ireland was in a peaceful condition. At that time what I may call the glamour of the Purchase Act was still over Ireland. That glamour has, I am sorry to say, to a considerable extent passed away, particularly from those districts where most disorder now prevails. It would, of course, be a gross exaggeration to speak of the Act as having broken down, although I think one may say that its finance has broken down. There is no doubt that the particular parts of Ireland in which disorder most reigns are not those in which the Act has operated most, or most to the advantage of the inhabitants. Men hear of and see large sales of great estates going on in the prosperous parts of Ireland, while sales in their immediate neighbourhood are conducted slowly and with great difficulty, and this creates a feeling of unrest which at any time is liable to lead to disturbance.

Then there is a new element in what is called the grass-land question, on which the noble Marquess who leads the Opposition and other noble Lords have spoken. In one sense, at any rate, that is a new question. When Lord Londonderry or I was in Ireland the possibility of dividing up any part of the grazing lands and turning them into holdings was, so far as I know, never contemplated by anybody. Therefore, when you are speaking of criminal statistics you must consider these points of cause and effect. This question of the grass lands has grown up gradually. It was recognised in Mr. Wyndham's Act; Section 8, I think it is, of that Act deals with untenanted land. Then you have had the operations of the Congested Districts Board; and I think it cannot be denied that the provisions of Mr. Wyndham's Act and that action have given an impetus to the feeling, often exaggerated and certainly finding vent in most reprehensible and criminal acts in some cases, that the policy of dividing the grass lands is a policy adopted, not only by this Government, but by the late Government, and



that almost any man may hope in time to get a share of a grass farm. It is unfortunate that that should be so.

I fully recognise the special difficulty of dealing with the whole question to which the noble Marquess who spoke last drew attention. If legislation were passed to-morrow I admit that you do not settle the question as to who the particular people are who may properly be supplied with farms formed out of untenanted land, and you cannot guard against people wanting farms which ought under no circumstances to be turned from the grazing purpose to which they are now put. But we have to admit this grass hunger, if I may use the expression, and it is, so far as I know, responsible for the whole of the disturbances in these eight counties.

The noble Marquess spoke of the increase of outrages with firearms, and blamed us for having dropped the annual renewal of the Peace Preservation Act. I think we admitted at the time that that was a policy which might very fairly be argued against, and that it might be said by some to be an imprudent step, but I do not think it is possible, as a matter of fact, to establish any connection between the dropping of that Act and the firing outrages which have taken place. After all, when that Act was in full force there were many more, and much worse, firing outrages than there are now. It is perfectly true that the very odious and contemptible form of intimidation known as firing into dwellings has seriously increased. The increase has very largely been in the county of Clare, to which allusion has been made. That county has for many years past had a character of its own. I think we should all have said of County Clare what I daresay my noble friend the Secretary of State for India would say of such a place as Poona—namely, that if there is trouble there it is of a more deep seated and worse kind than in any other part of the country. That has always been the case, certainly within the last forty years, in County Clare, and I will not pause to inquire into what the causes of that may be. As regards the cases of firing into dwellings, it is quite true that people have not been brought to justice. That is because they have not been arrested.

It is an offence extremely difficult to bring home to the perpetrator, and therefore it cannot be said that our system of dealing with prosecutions has had any effect so far as this particular class of outrage is concerned.

Now I come to cattle-driving; and I believe that when the noble Earl, Lord Dunraven, said that cattle-driving was anything but a popular practice, he was speaking the whole truth. I think at first cattle-driving was regarded somewhat leniently by a great many people in the districts where it took place; they regarded it as a sort of practical joke, of a violent kind no doubt, but still not much more than a practical joke. I think that what has happened since, and in particular the charge placed for extra police upon the counties, has caused a great many people in the neighbourhood to regard it as anything but a joke. The noble Marquess asked whether in regard to these cattle-driving cases we had been able to obtain any assistance from popular feeling, and he quoted a statement by the Attorney-General for Ireland that if we could associate the people with the administration of justice it would be a very desirable thing to do. The noble Marquess named two instances—the presence on the Bench of *ex-officio* magistrates and the service of citizens upon juries. As far as regards jury service, I am afraid we cannot profess to have found much improvement. It is a deplorable fact, and has been for many years—certainly in the time of the noble Marquess—that for a very large class of crimes you cannot get juries in Ireland to convict.

THE MARQUESS OF LONDONDERRY: You can if you change the venue, as we did.

\*THE EARL OF CREWE: I am afraid not always then.

THE MARQUESS OF LONDONDERRY: We did.

\*THE EARL OF CREWE: I think the noble Marquess must have had his share of failures, too. As regards *ex-officio* magistrates, it no doubt has been the case that in some instances the presence of

*ex-officio* magistrates who do not do their duty has interfered with the administration of justice. But I am able to give an instance to the contrary which, to my mind, is an encouraging one, because it took place in that very county to which the noble Marquess alluded—County Clare. These forty-three young men, all by general consent respectable—that is to say, I suppose, that they belong to the more or less solid farmer class—were brought up and charged with cattle-driving. The resident magistrate and two *ex-officio* magistrates, if I remember rightly, were present. The defendants were all bound to the peace and in default of giving the securities all went to gaol, and one of the *ex-officio* magistrates made a short statement in which he denounced the practice of cattle-driving and declared his adhesion to the principle of the sentence. Of course, noble Lords may say that the sentence was not a severe one, and that this does not amount to very much, but I think it means a good deal considering the circumstances under which it happened, and the place at which it occurred, and to my mind it is a very hopeful sign of a revived spirit of independence among those who are called upon to administer justice in this way.

We are asked once more why we did not revive, at any rate, one of the provisions of the Act of 1887. The Act of 1887, is one of those measures which is regarded with almost romantic affection by its authors. Both the noble Marquess and the noble and learned Lord have had affectionate experience of that Act, and they would like to see it put into free use. Their regard for it is of the same nature and quality as Mr. Balfour's regard for the Education Act of 1902. The noble and learned Lord is one of the most practised debaters in this House, and in that capacity he went through the familiar operation of begging the entire question. He assumed that if we had applied this particular provision of trial by two magistrates at the beginning of the cattle-driving disorder it would have immediately ceased. That is an assumption about which it is impossible to argue, simply because each person must maintain his own opinion. I do not say that it would not have been

*The Earl of Crewe.*

possible. Of course, it would have been possible to have put a few more people in prison. But the real force of what the noble and learned Lord said must depend upon what the strength of the movement really was. Lord Clonbrock asked—

“What is the use of binding people over to peace, for if they do go to gaol, there are always others ready to take their place?”

It is a remarkable fact that the people who have been bound over to keep the peace have very seldom appeared again in these transactions. Would not that argument also hold good if you sent people to gaol? Does it not show that there is this very large body of people who are prepared to engage in this practice, and it does seem to me an unwarrantable assumption that simply because you were able to send a certain number of people to gaol with hard labour you would necessarily—

LORD CLONBROCK: They are very often bound over and remain at liberty. They do not go to gaol.

\*THE EARL OF CREWE: That is true; but those who are bound over do not take part in subsequent cattle-driving. It seems to me that the assumption is one which the noble and learned Lord is at liberty to make, but one which is not, as a matter of fact, supported by the past history of the country.

LORD ASHBOURNE: It is supported by the entire history of the administration of the Act.

\*THE EARL OF CREWE: I do not agree with the noble and learned Lord there, and I think it is necessary to give one caution, because what fell from the noble Marquess who leads the Opposition may in one point be misunderstood. I understood my noble friend Lord MacDonnell to say he would have approved of stronger measures being taken at the outset against those whom he described as the instigators of these outrages. By that I take him to mean the Members of Parliament who made speeches. But do not let it be thought that my noble friend advocated the use of the Crimes Act, because I understood him to say that that is exactly what he did not do.

**LORD MACDONNELL OF SWINFORD:** Situated as I am now, I would have approved of the more sharp method of dealing with these people. But I did not intend to make any reference to what my approval or disapproval was when I was a servant of the Irish Government.

**\*THE EARL OF CREWE:** My noble friend was, I understood, speaking of the instigators of the movement. He did not say anything about different treatment of those who actually took part in the cattle-driving. The alternative which we have chosen and which we maintain is that of the provision of extra police, and we do believe that, as a considerable part of the cost falls upon the districts, it will have a certain effect in turning public attention in the direction of the maintenance of law and order. I should be very sorry to have it supposed that we regard this method or any other method as a panacea, or a perfect system for entirely stopping crime in Ireland. I think the whole history of Ireland shows that whenever there has been an outburst of crime and outrage in relation to a particular movement such as this, accounted for as this can be in all its features and in all its stages, no method has been discovered, and, after all, it is not surprising, for completely dealing with such ebullitions of public feeling. But we think that there is at any rate one method of action which can have no effect. There may be advantages attaching to what we call coercive measures, and there are advantages, as we think, attaching to the plan which we follow; but I am quite certain there can be no advantage in hovering backwards and forwards between the two.

In this matter you have to take a line and stick to it. As I understand, the line which noble Lords opposite would take would be to repress, and, I suppose, if the repressive measures adopted were not sufficient they would have to apply more repressive measures still. We have taken the line which was, I think, very fairly described by my noble friend in a phrase to which the noble Marquess objected. My noble friend did not say that we were in any way bound, by any obligation to anybody in Ireland, to adopt

any particular policy with regard to this matter. That, of course, is not so. We are bound to nobody. But we are anxious, it is perfectly true—and we are not ashamed of it—to administer the Irish Government so far as possible in a sympathetic spirit, and we recognise the very intimate connection which exists between these deplorable and sporadic outbreaks of crime and the question, which has somehow got to be dealt with or solved, of the relief of congestion and, so far as possible, the allocation of at any rate some of the grass lands in Ireland to those who are now insufficiently provided. That, as I say, is the line which we have taken, and to that line we must adhere. It is not the least indifference to the claims of the law or any carelessness about the preservation of order which make us decline to adopt a particular remedy upon which noble Lords opposite lay so much stress.

#### INDIANS IN THE TRANSVAAL

**\*LORD AMPHILL** rose “(1) to call attention to the imprisonment of Mr. Ghandi and other members of the Indian community in the Transvaal, and to inquire what communications have been received from India by His Majesty’s Government on the subject of the treatment of British Indians in South Africa; (2) to inquire whether the Secretary of State for the Colonies has received any complaints to the effect that Indians thus arrested have been harshly treated and inadequately and improperly fed in the prisons, and, if so, how he has dealt with such complaints; (3) to inquire whether the Traders’ Licensing Bills passed by the Legislature of Natal have been submitted for Imperial sanction, and, if so, what action His Majesty’s Government intend to take; and (4) to move for papers.” The noble Lord said: My Lords, I hope your Lordships will not think me unduly pertinacious in bringing up this question again and will believe that nothing would be more painful to me personally than if my action were so regarded. I feel bound by every consideration of honour, and in pursuance of my duty as a former servant of the Crown in India, to refer to this subject so long as I can hope that

any useful purpose may be served by so doing. I wish that I could persuade your Lordships to see this question in the same light in which it appears to me. I do not doubt for one moment that your Lordships feel exactly the same as I do, that you are animated by the strongest sympathy for the Indians in the Transvaal and very sincerely regret that they should have any cause to complain of their treatment under the British flag, but what I do wish is that I could persuade any large body of your Lordships to give expression to those feelings in such a manner as would not only help His Majesty's Government but would also convince our fellow-countrymen in the Transvaal that there is a strong feeling in this country on the question. I see in the continued failure to solve this problem a source of danger to the Empire at large and which may ere long become absolutely uncontrollable. It is the breach in the dyke which is becoming wider and wider—a breach which might in the first instance have been repaired with a few spadefuls of sand, the work of a small child, but which will now require the fevered labour of many people even if it be repaired at all and be made fit to keep out the torrential inrush of the sea.

What are the broad facts of the situation? I will confine myself to those facts, not only on account of the lateness of the hour, but also because it is the broad facts which are beyond possibility of dispute. I think that they are these:—one of the ostensible reasons why the South African War was waged was the redress of the grievances of our Indian fellow-subjects in the Transvaal, grievances which formed the subject of the most indignant protest on the part of our leading statesmen. The result of the South African war was to place the Imperial Government in the position of being able to redress those grievances. But what has actually happened? It is clear that the grievances still remain and that they must be a great deal more acute than they were before. Under the rule of the South African Republic the Indians were discontented, but there was no question of their having to suffer imprisonment, deprivation of property, banishment,

*Lord Amphil.*

and every kind of indignity rather than submit to the laws. That, my Lords, is what they are doing now rather than submit to laws which have been passed under the British flag, under the British Government. These Indians are not suffragettes or Socialists who are encouraged in a political agitation by the certainty of notoriety and of the applause of a considerable body of people. They have nobody to applaud them, they can hope for no notoriety which would be any satisfaction to them. Theirs is not a struggle for any sort or kind of political rights. They know full well that it would be absolutely futile for them to attempt anything of the kind. No, what they are fighting for, what they are struggling for is their very existence.

The tendency and, I am bound to say it, the real object, as it seems to me, of recent legislation in the Transvaal has been nothing more nor less than the extermination of the community of Indians who are resident there. With each successive surrender of the Imperial Government, with each successive diplomatic defeat, the success of this policy becomes more and more assured, and it is because its success has become so very nearly complete that the Indians have been driven to these courses, to suffer anything in order to save their community from actual extermination. What is the professed policy of the Colonial Government? I will endeavour to state it as nearly as I can in the actual words of the High Commissioner, Lord Selbourne, who was good enough to write to me on the subject. He said—

“Our policy is to treat the Indians who are now resident in the Transvaal with every possible consideration, but not to admit any more, that is, of course, subject to reasonable exceptions.”

Now the Indians themselves have no objection to that policy. They are perfectly ready to accept that policy, and that being so there is no reason why we should not accept it ourselves. All that they ask, and all that those who think with me ask on their behalf, is that that policy should be actually carried out, and that the methods by which it is carried out should be fair.

Now we come to the question as to what are the methods. How is our



consideration shown to the Indians in the Transvaal? It is shown to them by legislation which has driven them to passive resistance, and to a ready acceptance of all the cruel consequences of their passive resistance. How has the question of immigration been treated? It has been made, what it never was before, absolute; that is to say, not limited by any real exception. There is a nominal exception, it is true, and that is in favour of ruling chiefs from India or high officials of Asiatic descent. But is it conceivable that any Indian chief, that any ruling prince of India, would pay a visit to Natal in order, forsooth, to be insulted as a "coolie," for even the Ministers, the statesmen of the Colony, do not hesitate so to stigmatise the well-born, highly-educated men of high caste who lead the Indian community. It follows from what I have just said that there are two questions. The first is that of the treatment of the Indians resident in the Colony, the treatment of Indians who have a right to be there, who were there before the war, and whose right to be there has been admitted over and over again. The second question is that of future immigration. Those two questions must be kept absolutely separate, and I do not propose, on account of the late hour, to enter into details of either of them, but I will go on at once to what would have been the conclusion of the argument on which I should otherwise have embarked. I will ask you how could the present situation have been averted in regard to each and either of those two questions?

In regard to the first question, that of the treatment of resident Indians, I say that the present situation might have been averted by the repeal of the registration law. Why should that registration law not have been repealed? Your Lordships will remember that the Indians voluntarily submitted to giving the finger-impressions and to registering as the result of a compromise which was arrived at in January. They say that the condition on which they made this voluntary agreement was the repeal of the Registration Act. The Colonial Ministers say that no such promise was made. It is, therefore, a question

of which of the two sides you believe. I have no hesitation whatever in believing the Indian statement as to the conditions and I hold that on *prima facie* evidence it is hardly to be doubted. On what other conceivable condition could the Indians have voluntarily submitted to that which they have declared to be intolerable and humiliating to them under the compulsion of the Act unless it was the repeal of the compulsory law which caused them such indignity and humiliation? So far as I can see that is the only possible understanding on which they could have submitted to that compromise.

But even supposing that no promise was made, why should this Act not have been repealed during the last few months? It is no longer needed. The Transvaal Government have got all the Indians entered on their register. They know how many there are in the Colony for they have all come forward and submitted to registration. That, I think, was the original purpose and only professed intention of the Government—to ascertain how many Indians there were, who they were, and what they were. They have got that information, and so the Act has served its purpose and might very well have been repealed. If there were any goodwill, if there were any generosity towards the community, who have no votes, no political power, and are absolutely in the hands and under the control of the white colonists, surely that might have been done in order to avoid the present deplorable situation.

In regard to the question of future immigration, how might the present situation have been averted? I think that might have been done by allowing reasonable exceptions to the restriction of immigration. The position is this. The Indians are quite content to abide by the immigration law of last year as interpreted by the Courts, and if not worked in connection with this Registration Act, the repeal of which they say was promised. They are not only prepared to abide by the educational test, but they go further. They say: "Make that educational test as strict as you like; add to it if you will a condition that only a limited number of Indians, even as few as six, may enter

in any year, and we shall make no further complaint. We shall feel ourselves bound by honour not to ask for more, and to agree with what you have done. All we want is that those few people who are necessary for the continued life of our community, without whom our community must perish, that is to say, the few doctors and lawyers and priests whom we require, should be allowed to enter the Colony. That is all we ask." I think this a concession which might have been made.

Now I pass rapidly to the question which is naturally asked by every thinking man with whom you discuss this question. What can the Secretary of State, what can His Majesty's Government, do? I appreciate to the full the difficulties in which the noble Earl finds himself placed. His position is that all the opportunities of refusing consent to the progress of oppressive legislation have already been given away, and all the opportunities of bargaining which formerly existed have equally been lost. But, nevertheless, knowing the noble Earl as I do, I do not despair of his being able to make use of those great qualities which we have learned to know and to admire in this House. The noble Earl has behind him the general power and influence of the Imperial Government, and that power and influence would exist even if in the case of Indians it were not most specially reserved under the Constitution which was granted to the Transvaal Colony.

But supposing there were no reserved powers; supposing that we had not even that shadowy power of "suzerainty" by which we were able to oblige the South African Republic to treat Indians moderately, we should still have the power which we should exercise in the case of a foreign country with which, as might be imagined, we had a treaty or agreement that they should treat the citizens of the British Empire with justice and consideration. Or, imagine even that we had no such treaty and that in any foreign country our fellow-subjects were ill-treated, oppressed, driven out of the country, banished, deprived of their means of livelihood, of the fortunes and incomes they had built up during the course of many years residence; supposing that these things were done to

*Lord Ampthill.*

them, do your Lordships imagine for one moment that we should not take such steps as were necessary to bring about a fairer treatment of those fellow subjects of ours? But surely, my Lords, we should not be taking any of the risks which would be involved in so dealing with a foreign country if we were to negotiate with the colonists of the Transvaal. We take risks, as your Lordships know, on behalf of persecuted communities and oppressed nationalities for whom we have no responsibility whatever. We are willing to take risks, the most extreme risks, if it is a matter, say, of persecuted Armenians or of natives of the Congo, but surely we run no risks of that kind in dealing with the colonists of the Transvaal. If they are indeed British, as we have been so loudly and frequently assured they have become since they received their Constitution, surely they have the honour of our race at heart; surely they have the honour of this nation, of the Imperial Government at heart, and would never wish to bring about the violation of pledges which have been made before the world and civilised mankind over and over again. Surely they must see that it cannot be to their interests to jeopardise the peace and the security of the Empire by producing, as I tell your Lordships with all sincerity and earnestness I believe they may do, very much greater and far more serious discontent in India than exists at the present time.

But even if they do not see these things, if they do not regard—and I think they must if it were put to them rightly—these questions of honour and expediency, surely they must know that it cannot be to their own ultimate and larger interests that there should be disturbance of internal peace and that there should be controversy within the British Empire.

I know that a Blue Book has just been published; I have only just obtained a copy and have not had time to read it; but, nevertheless, I have thought it best not to postpone my several specific questions because I hold that a statement from the Secretary of State will be more widely read and will carry greater weight than the official despatches in any Blue-Books. I

trust that that which the Secretary of State may have to say will be of an encouraging nature and may lead us to hope that even now, in spite of the latest most anxious and disquieting news, there is hope of some generous concession on the part of the Transvaal Government, something that may lead to a solution of this most difficult, and to my mind most anxious problem.

Moved, "That an humble Address be presented to His Majesty for Papers relating to the imprisonment of Mr. Gandhi and other members of the Indian community in the Transvaal."—(*Lord Amthill.*)

\*THE EARL OF CREWE: I am sorry that the noble Lord was obliged to bring this matter on at so late an hour, partly because I should have liked him to have had a fuller House in dealing with this very interesting subject, and partly also because the fact that a Blue Book was published to-day does seem to me to make it a little premature to raise a discussion on this subject in the House. At the same time I quite appreciate the noble Lords' desire to hear a statement which, under the circumstances, will be a very brief one, by me upon the subject. I think, if the noble Lord will forgive me, there is need for great caution in approaching this question. Of all unfortunate things that could happen, it seems to me the most unfortunate that we should appear to be taking sides over this question, either in this House, or elsewhere, and divide ourselves into two classes of pro-English and pro-Indians. That would be, in my mind, an entirely false way of looking at this which is an instance of one of the very greatest of the difficulties that confront those who have to take part in the government of this great Empire, viz., the relations between the white and the coloured races that inhabit different parts of it.

I do not know that at this moment there is a more difficult and anxious problem of government than that, and I am sorry therefore, that the noble Lord, whose enthusiasm on behalf of those whom he served so well, I can quite comprehend, seemed to go somewhat far, I will not say in taking sides, but in making imputations against the Colonial Govern-

ment in this matter. For instance, the noble Lord said it appeared to him that the object of the Transvaal Government was to exterminate the Indian colony there. I have followed closely, of course, the various phases of the difficulty, and I do not think that is an expression which can in any way be justified by what the Colonial Government have done. In the second place, the noble Lord alluded to a difference of opinion on a matter of fact which had taken place between the Indian leaders and the Colonial Secretary for the Transvaal. The noble Lord said that obviously one party was not speaking the truth, and the party he believed was not the Indian party. I think the noble Lord might have reflected that where a diametrically different account of a conversation or of conversations is given by two parties, it is possible that the fact may be due to a misunderstanding and not to wilful mendacity on one side or the other, and I am sorry that the noble Lord should have made a charge of that kind, which I am certain it is impossible to support.

So far as the imprisonment of Mr. Gandhi, which I very greatly regret, is concerned, I have no official knowledge of it, no knowledge of it beyond what I have seen in the newspapers, but I have telegraphed to the Transvaal in order to find out what the particular circumstances connected with Mr. Gandhi's imprisonment were. I assume, of course, that he has been taking part in that passive resistance campaign and that he has paid the penalty which no doubt he intended to pay for a breach of the existing law. I do not desire at this moment to enter into the very complicated question of the controversy which has taken place, and I do not think it would be fair of the House to do so, but I should like to say one word upon what fell from the noble Lord with regard to the question of exceptions of entry in the cases of Indians who were not domiciled in the Transvaal before the war. I have not been able entirely to understand whether the Indian community demanded generally the entrance of those who were able to pass an education test, or whether, first, they adopted the very much milder proposal which, I understand, the noble Lord makes, viz., that a very small number

of Indians should be admitted to fulfil certain functions which obviously could not be filled by replacing from the community—such classes as lawyers and priests. So far as I am able to judge from seeing the papers for a considerable time the demand was for a general entrance of Indians who were able to pass a high education test, and that, I fancy, is a point on which it would be altogether impossible to induce the Transvaal Government to give way, and I understand that the noble Lord, on behalf of his friends, abandons that.

But as regards the admission of a few people of a special kind, the case in my opinion is an entirely different one. The noble Lord spoke of exceptions as applying only to native chiefs of high rank and persons of distinction, but the noble Lord will recognise that in the last Act there is power given to the Governor to make exceptions of a general kind, and I think it would be very reasonable, and I have expressed that view in communicating with the Government, that some kind of undertaking might be given that the people specially admitted by the Governor, that is to say, by the Government acting in Council, from time to time should comprise a sufficient number of those of the professional classes to supply the wastage which from time to time must take place in the community. That is a point on which I hope a really satisfactory arrangement may be reached.

The noble Lord next asks whether we have received any complaints to the effect that the Indians arrested have been harshly treated and inadequately fed in prison. I did receive a complaint of the kind stating that there had been cases of great hardship, including that of old persons and children at various places having been placed in rooms which were not clean and not having had the food that they required. I immediately telegraphed the Governor of the Transvaal to find out what the truth was of those statements and to ask for a report by telegraph. I have not yet that report; when I receive it I shall be happy to communicate it to the noble Lord opposite.

Then the noble Lord asks a third question on which he said nothing, but

*The Earl of Crewe.*

which, perhaps, he might like me to answer. It refers to the Traders' Licensing Bills passed by the Legislature of Natal. Three Bills were introduced into the Natal Legislature. The effect of the first was to prohibit indentured labour from 30th June, 1911. That was a Bill which undoubtedly would have lain within the competence of the Natal Government to undertake, but the Bill has, as a matter of fact, been dropped altogether. The second Bill, which we have not yet seen in its complete and final form, forbids any licence to trade being given to an Indian after 31st December, 1908, and the third provides for the total extinction of all Indian licences after the lapse of ten years. As soon as I received the intimation that those Bills had been introduced I wrote a despatch and sent it to the Governor of Natal drawing attention to the nature of the Bills and explaining that it was exceedingly improbable that we should be able to advise His Majesty to assent to the provisions of the last two. I thought it desirable to give a warning of that kind immediately, but I have not yet received the Bills in their final form, and when they do arrive we shall be able to give them our full attention. The noble Lord finishes up by moving for Papers, but he will understand that he has just got one lot and will not be in a hurry to ask for any more just at this moment. We will keep him supplied with all the information we can.

Motion by leave, withdrawn.

#### OLD-AGE PENSIONS ACT.

THE EARL OF CAMPERDOWN, who had given notice to ask whether Treasury instructions issued in regard to the Old-Age Pensions Act are held to have the force of regulations; and, if so, whether such instructions will be laid on the Table of the House," said: Your Lordships will remember that under the Old-Age Pensions Act a large part of the administration is to be effected by means of regulations which were to be drawn jointly by the Treasury, the Post Office, and the Local Government Board. A certain set of regulations have been promulgated and have been laid on the



Table in due course according to the provisions of the Act. But the Treasury has issued certain instructions. I am not now speaking of instructions to servants or officials of the Treasury—that is a different matter altogether—but of instructions which are issued to pension committees and sub-committees, and also, indirectly, to county clerks. I want to know whether those instructions are held to have the force of regulations, because if so it would appear that they ought to be laid upon the Table, and if they are not to have the force of regulations then I should like to know whether they have any force at all.

**LORD FITZMAURICE :** The Question that my noble friend has asked is a very natural one because it relates to a matter which is of very great interest and importance to every authority under the Pensions Act in the country, and is being, undoubtedly, very closely watched and for obvious reasons, by them. Under the Pensions Act, as my noble friend has pointed out, there are certain regulations which are made under subsections 1 to 3 of Section 10 of the Act which deal with a very great number of important matters in the administration of the Act, or at least mainly deal with important questions in the administration of the Act by those authorities. It stands to reason that those authorities, in administering the Act, will incur certain expense, and the question has immediately arisen whether the local authorities are going to be kept in pocket by the Treasury, or whether they, in the first instance, have to bear the pecuniary burden and then, as in other instances, be recouped by the Treasury.

**THE EARL OF CAMPERDOWN :** Is not that done in a regulation and not by instructions ?

**LORD FITZMAURICE :** I am coming to that. I am only explaining, in the first instance, what the regulations are. It stands to reason that there must be some method and form in regard to the payment and repayment of these sums, and it is in regard to this matter of the repayment of the sums by the Treasury that these instructions have been given. They are not regulations under subsections 1 to 3 of Section 10 of

the Act, and therefore, they do not come within the rule which my noble friend has mentioned, viz., that they ought to be laid before Parliament. But a copy of the instructions is being presented to the other House, and as I have said they deal exclusively with the amount of the administration expenses of the committees, which may be charged against the Votes of the House of Commons, and the manner in which such expenses are to be paid. It is not usual in a case of this kind, which deals with a purely financial matter, for a document of that kind to be laid before this House. That I am informed on high authority. But the instructions are going to be laid before the other House, and at the same time I shall be exceedingly glad, on behalf of the Treasury, to communicate a copy of the instructions to my noble friend, if he desires to see them, at once.

**THE EARL OF CAMPERDOWN :** The noble Earl has not answered the second part of my Question. As these instructions are not regulations and it is not necessary to lay them as he says on the Table of this House, what force, if any, have those instructions ? They are not regulations under the Act. In what way has the Act authorised the issue of those instructions ; and those instructions, being, as I know them to be, not merely relative to finance, but giving directions not only to pension committees and sub-committees, but also to officials of the county councils, have they any force ?

**LORD FITZMAURICE :** I was in hope I had made that clear. The Treasury has power to issue instructions under the general power which the Board has in all cases to give instructions of that kind where it is dealing with monies voted by Parliament. The Treasury is the great financial office of the country, and if my noble friend will refer to subsection 4 of Section 10 he will find that the matter is dealt with.

**THE EARL OF CAMPERDOWN :** But the money is the money of county councils ; it is not public money.

**LORD FITZMAURICE :** The instructions are drawn up to regulate the repayment to the county councils of

money spent in the first instance by them, and, of course, it is entirely to the advantage of the county council to have those instructions issued by the Treasury. The county councils—I am speaking, for a moment, as a county councillor—naturally desire to get the money back as soon as they possibly can, and to be informed at the very earliest day as to what method they are to pursue in order to get that money back.

**THE EARL OF CAMPERDOWN:** I will not pursue the matter further now, but shall probably take an early opportunity of calling your Lordships' attention to these instructions before they were issued to county councils. I received one myself as chairman of a county council, and I merely wanted to know whether there is any necessity on my part to pay any attention to them.

**LORD FITZMAURICE:** The answer to that is that the county councils desire to get their money back, and to get it back as soon as possible. It is entirely in their own interests to comply as rapidly as possible with the instructions which have been issued by the Treasury with a view to getting the whole of this matter forward as quickly as possible.

**THE DUKE OF NORTHUMBERLAND:** Allow me to ask the noble Lord what power has the Treasury to demand advances from county councils. The noble Lord says that these instructions are for the repayment of certain monies spent by the county councils. What I want to know is, what authority the Treasury has to command money to be advanced by the county councils.

**LORD FITZMAURICE:** I believe the Treasury take the view that the sections of the Act to which I have referred, and the Act of Parliament as a whole, gives them the power of making that regulation, but if either of my noble friends has any doubt on the question he is, of course, fully justified in raising it in this House, and I shall do my best to give him a further reply.

House adjourned at half-past  
Eight o'clock, till To-morrow,  
a quarter past Four o'clock.

## HOUSE OF COMMONS

*Wednesday, 21st October, 1908.*

The House met at a quarter before  
Three of the Clock.

### PETITIONS.

#### CHILDREN BILL.

Petition from Teddington, in favour:  
to lie upon the Table.

#### EDUCATION (SCOTLAND) BILL.

Petition from Hamilton, for alteration:  
to lie upon the Table.

#### LICENSING BILL.

Petitions against: From Brimpton and  
other places; Henley-on-Thames; and  
Lymington; to lie upon the Table.

Petition from Teddington, for altera-  
tion; to lie upon the Table.

Petitions in favour; From Burnage;  
and Fenton; to lie upon the Table.

#### POOR LAW AMENDMENT (SCOTLAND) BILL.

Petition from Greenock, in favour; to  
lie upon the Table.

#### SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour: From Chorley and  
other places; and Manchester; to lie  
upon the Table.

#### UNEMPLOYMENT.

Petition from Greenwich, for legisla-  
tion; to lie upon the Table.

### RETURNS, REPORTS, ETC.

#### POST OFFICE (FOREIGN AND COLONIAL PARCEL POST).

Copy presented, of the Foreign and  
Colonial Parcel Post Amendment (No. 21)  
Warrant, 1908. Dated 1st July, 1908  
[by Act]; to lie upon the Table.

#### POST OFFICE (FOREIGN AND COLONIAL POST).

Copy presented, of the Foreign and  
Colonial Post (Cash on Delivery) Amend-  
ment; (No. 2) Warrant, 1908. Dated

31st July, 1908 [by Act]; to lie upon the Table.

Copy presented, of the Foreign and Colonial Post (Cash on Delivery) Amendment; (No. 3) Warrant, 1908. Dated 11th September, 1908 [by Act]; to lie upon the Table.

#### TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4150 to 4152 [by Command]; to lie upon the Table.

#### POOR LAW RELIEF (IRELAND).

Return presented, relative thereto [ordered 16th July, 1907; *Mr. Birrell*]; to lie upon the Table, and to be printed. [No. 306].

#### COLONIAL REPORTS (ANNUAL).

Copy presented, of Colonial Report, No. 580 (Fiji, Annual Report for 1907) [by Command]; to lie upon the Table.

### QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

#### Conversion of Battleships into Coal-Hulks—Work for the Unemployed.

**MR. E. H. LAMB** (Rochester): To ask the first Lord of the Admiralty whether it has been decided to give the work of converting the "Agincourt" or the "Ganges II." into a coal-hulk in Chatham Dockyard to seamen and marines of His Majesty's Navy; and, if so, whether, in view of the amount of unemployment in the neighbourhood, the Admiralty can see their way to reconsider this decision so that the work may be performed by local men.

(*Answered by Mr. McKenna.*) The reply to the first part of my hon. friend's Question is in the negative.

#### Poor Relief and Old-Age Pensions.

**MR. MOND** (Chester): To ask Mr. Chancellor of the Exchequer whether persons of the statutory age who are in receipt of Poor Law relief, the amount of which is recovered in its entirety by the guardians from the children or relatives of such persons, are disqualified by the receipt of such relief from receiving old-age pensions.

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(*Answered by Mr. John Burns.*) My right hon. friend has asked me to reply to this Question. It is with some others which have arisen under the recent Act, and which involve legal considerations, receiving attention, but for the moment I must ask my hon. friend to let me defer giving a definite answer to it.

#### Planting of the Interliever Estate.

**LORD BALCARRES** (Lancashire, Chorley): To ask the Secretary for Scotland what acreage is to be planted on the Interliever estate before the end of the financial year; and what is the estimated outlay and the number of trees to be employed per acre.

(*Answered by Mr. Hobhouse.*) I am informed that there is so much work to be done in preparing and fencing the area to be planted and the nursery ground and in putting up the buildings to accommodate the staff which will have to be housed upon the spot, that it has been decided not to begin the actual planting this year, but to prepare for a larger area being dealt with next year than would have been possible under the circumstances this year. From ten to twelve men will be employed upon the work. The number of trees to be planted per acre and the cost will vary according to the nature of the ground and the kind of tree planted.

#### New Planting in Delamere Woodlands.

**LORD BALCARRES**: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what portion of the sum of £681 spent last year in Delamere Woodlands was expended on new planting; how many acres were so planted; and what was the number of trees employed per acre.

(*Answered by Sir Edward Strachey.*) About £178 were spent inclosing and planting new areas containing about twenty-one and a half acres. About 2,900 trees were planted per acre.

### QUESTIONS IN THE HOUSE.

#### Osborne Naval Training College.

**MR. WATT** (Glasgow, College): I beg to ask the First Lord of the Admiralty

what is the system of obtaining entrance to the training college for the Navy at Osborne; is it by competitive examination; if so, is that examination open to all the boys of the country or must they obtain nominations before they are allowed to sit; and will he say from whom these nominations are obtainable and to what class of boys they are usually given.

**THE FIRST LORD OF THE ADMIRALTY** (Mr. McKenna, Monmouth, N.): The method of entry into the Royal Naval College at Osborne is fully described in the public regulations, of which I have sent my hon. friend a copy. The examination is not competitive and there are no nominations—the candidates being selected after interview.

**MR. WATT:** Who are the interviewers? By whom are they appointed?

**MR. MCKENNA:** They are appointed by the First Lord for the time being.

#### **H.M.S. "Gladiator."**

**MR. BELLAIRS** (Lynn Regis): I beg to ask the First Lord of the Admiralty whether the £54,000 spent on the salvage of the "Gladiator" is to be met by savings on other items; and whether he can now state if the vessel is to be repaired or whether she is to be replaced, as was done in the case of the two destroyers lost this year.

**MR. MCKENNA:** The question of meeting the cost of the salvage of the "Gladiator" is receiving careful consideration. As regards the other part of the Question, it has already been stated in this House in reply to a Question by the hon. Member for Fareham, that the decision of the future of the "Gladiator" would be come to when the estimated cost of repair was known.

#### **New Destroyers.**

**MR. BELLAIRS:** I beg to ask the First Lord of the Admiralty what is the purchase price to be paid for the two extra destroyers which have been bought this year to replace the two destroyers lost by collision; and whether he proposes to provide this sum by savings on other items of the Navy Estimates.

**MR. MCKENNA:** As the trials are not completed, no statement can yet be made as to the amount of the price, nor how it will be provided.

**MR. BELLAIRS:** As the sum of money required for these two destroyers together with the repairs of the "Gladiator" will amount to at least over a quarter of a million sterling, will the right hon. Gentleman undertake it shall not be provided out of savings on repairs, which would only create future unemployment?

**MR. MCKENNA:** I regret I am unable to accept my hon. friend's estimate.

#### **Strikes and Naval Expenditure.**

**MR. BELLAIRS:** I beg to ask the First Lord of the Admiralty if he can state the amount of under expenditure caused by strikes, and which, as announced, will now be devoted to hastening the laying down of some of the ships of this year's programme.

**MR. MCKENNA:** Although it is not yet possible to give the exact figure, it is anticipated that the amount will be sufficient to meet the extra expenditure involved.

**MR. BELLAIRS:** Cannot the right hon. Gentleman indicate even roughly the amount?

**MR. MCKENNA:** No, Sir; as I have said, the amount is due to money not having been expended in consequence of strikes, and it is impossible to fix the total.

#### **First Class Cruisers.**

**MR. BELLAIRS:** I beg to ask the First Lord of the Admiralty if he can state why the Return of Fleets this year classes the "Blake" and "Blenheim" as first-class cruisers, seeing that they have been converted to the duties of mother ships for destroyers and deprived of all but four 6-inch guns and four 12-pounder guns in their armaments, and have an armament inferior to many foreign third class cruisers.

**MR. MCKENNA:** As these vessels retained an integral portion of their original armament, it was decided to leave them in the Return.



**MR. BELLAIRS:** The right hon. Gentleman has not said why they were included in the Return of first-class cruisers. Cannot he create a precedent and degrade them to the third class?

**MR. MCKENNA:** I shall be happy to discuss the point on a suitable occasion.

**EARL WINTERTON** (Sussex, Horsham): Could these ships properly be described as first-class cruisers?

**MR. MCKENNA:** Yes, and they are properly included and described in the Return as first-class cruisers.

**\*MR. GRETTON** (Rutland): Do the Admiralty consider that the armament these ships at present carry is the armament of a first-class cruiser?

**MR. MCKENNA:** Not the ordinary armament—but nevertheless they may properly be retained among first class cruisers for the reason I have stated, *i.e.*, that they possess an integral part of their original armament.

#### Army Horses.

**MR. BRIDGEMAN** (Shropshire, Oswestry): I beg to ask the Secretary of State for War if he can inform the House if any result has come of the consultation between his Department and the Board of Agriculture as to the breeding of horses for the Army.

**EARL WINTERTON:** In view of the great interest felt in this matter throughout the country, can the right hon. Gentleman explain the unprecedented delay?

**THE SECRETARY OF STATE FOR WAR** (Mr. HALDANE, Haddington): I am aware great interest is felt in this matter. I am afraid that I have nothing at present to add to the information which I have already given to the House on this subject.

**MAJOR ANSTRUTHER-GRAY** (St. Andrews Burghs): Is the matter now out of the hands of the right hon. Gentleman?

**MR. HALDANE:** No, Sir.

#### Army Pensions.

**MR. BRIDGEMAN:** I beg to ask the Secretary of State for War if he will, as soon as the Old-Age Pensions Act comes into operation, make arrangements for a weekly payment of Army Pensions.

**THE FINANCIAL SECRETARY TO THE WAR OFFICE** (Mr. ACLAND, Yorkshire, Richmond): I have nothing at present to add to the reply which I gave to a Question put on this subject by the hon. Member for the Isle of Wight Division of Hampshire on the 14th instant.

#### Ammunition Stores.

**MR. BRIDGEMAN:** I beg to ask the Secretary of State for War if he can state what proportion of the total store of small arms ammunition in this country is kept in one place.

**MR. ACLAND:** The small arms ammunition is distributed over the country in stocks corresponding to local requirements on mobilisation. I do not think any good purpose would be served by giving the particular information required, but I may inform the hon. Member that no very large proportion is stored in any one place.

#### Traffic in Spirits in Southern Nigeria.

**MR. MARKHAM** (Nottinghamshire, Mansfield): I beg to ask the Under-Secretary of State for the Colonies if he will say what proportion of the revenue of Southern Nigeria was derived during the years 1906 and 1907 from the sale of gin and raw spirits; whether he has any information that these liquors are consumed by the natives alone; and whether His Majesty's Government will consider the advisability of taking steps to provide that a Crown Colony shall not derive a large income from the sale of spirits, seeing that the sale of such liquors are prohibited to all natives in the self-governing Colonies of the Empire.

**THE UNDER-SECRETARY OF STATE FOR THE COLONIES** (Colonel SEELY, Liverpool, Abercromby): The revenue derived by the Government of Southern Nigeria from spirit duties (not from the sale of spirits) in 1906 and 1907 was £600,784 and £806,942 respectively, and the total revenue of the Colony in these years amounted to £1,088,717 and

£1,459,554 respectively. The Secretary of State has decided, after correspondence with the native races and Liquor Traffic United Committee, to appoint a Committee to investigate the facts on the spot. I may add that the prohibition of the sale of spirits to natives is not quite universal in the self-governing Colonies.

SIR GILBERT PARKER (Gravesend): May I ask if a member of this community will be added to the Commission of Inquiry on this subject as was practically promised?

COLONEL SEELY: What does the hon. Member mean by this community—does he mean this House?

SIR GILBERT PARKER: This country.

COLONEL SEELY: The Committee is not yet complete. I will represent the views of the hon. Gentleman to the Secretary of State, and point out that some indication was given that some appointment of the nature should be made.

#### Old-Age Pension Regulations.

MR. FELL (Great Yarmouth): I beg to ask Mr. Chancellor of the Exchequer when the Regulations under the Pensions Act will be printed and laid upon the Table.

THE CHANCELLOR OF THE EXCHEQUER (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The Regulations were laid upon the Table on Monday last, and will be issued this week.

MR. FELL: Will they be in the hands of hon. Members this week?

MR. LLOYD-GEORGE: I am told so.

MR. DUNDAS WHITE (Dumbartonshire): Does the Answer apply also to Scotland?

MR. LLOYD-GEORGE: I understand

MR. JOYCE (Limerick): Or to Ireland?

MR. Answer was returned.]

#### Wales and Old-Age Pensions.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask Mr. Chancellor of the Exchequer if his attention has been drawn to the hardship inflicted on monoglot Welsh-speaking applicants for an old-age pension in districts in Wales where the pension officer has no knowledge of Welsh; whether any request has been made to him on behalf of the Aberdare District Council, the Glamorgan County Council, and other public bodies to receive a deputation on the matter; and what reply, if any, he has made to such request.

MR. LLOYD-GEORGE: Yes, Sir, I have been requested to receive deputations on this subject, but I postponed replying to the request because I was at the time considering how this difficulty might best be met, as I have been fully alive to the hardship in the cases referred to by my hon. friend. I am now causing arrangements to be made to supply pension officers in Wales with the services of interpreters in all cases where such assistance is required to enable the officers to communicate freely with applicants.

#### Court Procedure.

SIR EDWARD SASSOON (Hythe): I beg to ask the Secretary of State for the Home Department whether his attention has been called to cases of witnesses (especially of the female sex) suffering from extreme nervous exhaustion after standing a considerable time at the bar; and if he would issue an Order giving witnesses and prisoners the option of being seated during cross-examination.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I have no authority to issue any directions on the subject, which is one for the discretion of the Court, and I have reason to believe that permission for a witness to be seated is invariably granted if applied for.

#### Vivisection.

SIR G. KEKEWICH (Exeter): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the evidence of Surgeon-Colonel Lawrie before the Royal

Commission on Vivisection, with reference to a vivisection performed by Dr. Gaskell, now a member of the Royal Commission; and whether, in consequence of that evidence, he will remove or advise the removal of Dr. Gaskell from the Royal Commission, which is now engaged in considering its Report.

MR. GLADSTONE: The Answer to the first part of the Question is in the affirmative. The Answer to the second is that I see no grounds for taking any such action as is suggested.

MR. LUPTON (Lincolnshire, Sleaford): Are we to understand that one who has taken part in a cruel experiment is to remain a member of a Commission inquiring into the cruelty or otherwise of vivisection?

[No Answer was returned.]

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary of State for the Home Department whether, in view of the evidence before the Vivisection Commission that the object of the operation performed by Dr. Gaskell was to enable a respirable anæsthetic to be administered and regulated, he will undertake that in cases where anæsthetics are only partially administered experiments will be confined to such animals as guinea pigs and absolutely forbidden on domestic animals.

MR. GLADSTONE: My hon. friend is, I think, under a misapprehension. In all experiments on living animals which are calculated to cause pain, except those of the nature of inoculations, it is the established practice that the animal must, during the whole of the operative procedure, be under the influence of an anæsthetic of sufficient power to prevent the animal's feeling pain. This applies to all animals, whether domestic or not.

MR. CATHCART WASON: Is the right hon. Gentleman aware that a large number of the medical profession are distinctly opposed to these experiments on domestic animals.

MR. GLADSTONE: The whole question is now under consideration.

### Beer at Broadmoor.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department will he say how many gallons of beer were consumed by the inmates of Broadmoor Asylum during the year 1907.

MR. GLADSTONE: During the year 1907 14,768 gallons of beer were consumed by the inmates of Broadmoor Asylum. This works out at a little less than half a pint per head per day.

MR. MARKHAM: Is the right hon. Gentleman aware that, according to the report of the Lunacy Commission, 32 per cent. of the inmates are in that institution owing to drink, and will he, in place of the drink, find some substitute, such as jam or pickles?

[No Answer was returned.]

### Murderers at Broadmoor.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department whether his attention has been directed to a speech of one of His Majesty's Judges alleging that many murderers were confined in Broadmoor Asylum though perfectly sane; whether he will say whether the decision of the doctor of this asylum as to whether a patient is insane or not is final; and whether no examination either by a medical board or independent medical men is permitted.

MR. GLADSTONE: I have seen a report of the learned Judge's remarks, and I think that the hon. Member has somewhat misapprehended their purport; but I may say in reply to his Question that there are in Broadmoor persons guilty of murder who could not at the present moment be held to be insane, but who must be detained in Broadmoor in pursuance of the Order of the Court so long as there is a serious risk that, if set at liberty, they would relapse into the condition in which they committed the crime. In judging of the mental condition of patients, I rely on the advice of the medical authorities who see them daily, and who have exceptional experience of similar cases, and I should not be assisted by calling in other medical men, who, however eminent, could not have the same opportunities of forming an

equally trustworthy opinion; in any case the present mental condition is by no means the only determining factor in deciding whether it is safe to release a man who, in a state of insanity, has committed a grave crime, and who, if at large, might again become dangerous.

#### Case of Daisy Lord.

MR. JOWETT (Bradford, W.): I beg to ask the Secretary of State for the Home Department what action he is taking in the case of Daisy Lord; whether he is arranging for her release; and, if so, whether it will be long delayed.

MR. GLADSTONE: I cannot say more with regard to this case than was said in the letter which has recently been published in the newspapers, a copy of which I will send to the hon. Member.

#### Motor Fatalities.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department will he say the total number of deaths caused by motor-propelled vehicles in the United Kingdom during the first six or nine months of this year.

MR. GLADSTONE: I am sorry that I cannot give these figures. The annual Report of the Registrar-General for England and Wales will contain the figures for those countries for 1907, and will probably be ready for publication about the end of this year; and, as my hon. friend the Under-Secretary stated last week, the police have been asked to furnish returns for the period from May to December, 1908, inclusive, of all accidents in streets, roads or public places which have come to their knowledge, caused by motor or horse-drawn vehicles respectively, resulting in death or personal injury.

MR. MARKHAM: Are not reports on all fatal accidents forwarded to the Home Office?

MR. GLADSTONE was understood to reply in the negative.

MR. MACKARNESS (Berkshire, Newbury): Cannot the right hon. Gentleman give the number of cases in the first six months of this year?

MR. GLADSTONE: We are getting the figures in pursuance of a promise given to this House.

#### Motor Fatalities in London.

MR. MARKHAM: I beg to ask the Secretary of State for the Home Department if he will state the total number of deaths and accidents to persons caused by motor-propelled vehicles in the Metropolitan police area during the first eight or nine months of this year.

MR. GLADSTONE: The number of accidents during the months January to September, 1908, inclusive, in which personal injury resulted was 2,945. In 105 cases the injuries proved fatal.

MR. CARR-GOMM (Southwark, Rotherhithe) asked if these accidents were not largely caused by allowing omnibuses to travel through narrow winding streets quite unsuitable for the traffic?

\*MR. SPEAKER: That is a matter on which hon. Members can form their own opinion.

#### London Ambulance Service.

MR. COOPER (Southwark, Bermondsey): I beg to ask the Secretary of State for the Home Department whether the Report of the Departmental Committee appointed to consider the question of an ambulance service for London accidents has reported; whether the Committee have adopted the scheme of motor ambulances asked for by the London County Council in its General Powers Bill, but places the control and expenditure in the hands of the Metropolitan Police; and whether there is any town in the United Kingdom where expenditure for such an object is not controlled by the ratepayers.

MR. GLADSTONE: The Committee has not reported, and has, I understand, not yet adopted any scheme. Information on the last point mentioned in the hon. Member's Question will no doubt be given in the Committee's Report.

MR. BOWERMAN (Deptford): Have not some of the recommendations of the Committee already been published in the Press?

MR. GLADSTONE: I am not aware of that.



**Licensing Bill.**

**MR. F. E. SMITH** (Liverpool, Walton): I beg to ask the Prime Minister whether he can state approximately how many Italian warehousemen, co-operative stores, grocers, confectioners, refreshment caterers, and other similar businesses will be affected by the inclusion of off-licences within the provisions of the Licensing Bill as regards monopoly value, local option, and prohibition.

**MR. GLADSTONE**: I beg to answer this Question on behalf of my right hon. friend. The Licensing Statistics for 1907, show that out of a total of 25,143 off-licenses, 14,024 were held in respect of premises where other goods besides liquor are sold. This figure would cover the trades indicated by the hon. and learned Member, but I have no information as to the number of off-licences held in connection with each of the trades.

**MR. BARNARD** (Kidderminster): I beg to ask the Prime Minister if he can state how many licensing benches there will be under the Licensing Bill, the population in the smallest five licensing districts under the 1901 census, and how many parishes there will be with a population under fifty to which the local option proposals will apply.

**MR. GLADSTONE**: I beg to answer this Question on behalf of my right hon. friend. The Licensing Bill makes no alteration in the number of licensing districts. That number is at present 993. The respective populations of the five smallest districts are 265, 719, 1216, 1217 and 1328. Lastly, I understand that there are 759 rural parishes with a population of less than fifty.

**MR. BARNARD**: Will an opportunity be given for discussing this matter seeing that it was precluded by the operation of the closure?

\***MR. GLADSTONE**: I must ask for notice.

**Trade Accounts.**

**MR. LONSDALE** (Armagh, Mid.): I beg to ask the President of the Board of Trade whether any, and if so, what steps are to be taken to give effect to the recommendations of the Departmental Committee which has reported upon the

publication of the trade accounts of the United Kingdom.

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. CHURCHILL, Dundee): The recommendations of the Committee are now receiving the careful consideration of the Board of Trade and the Customs, and I am hopeful that a decision with regard to them may be arrived at shortly.

**Census of Production Returns.**

**MR. BOTTOMLEY** (Hackney, S.): I beg to ask the President of the Board of Trade whether his attention has been called to the form of Return required by his Department under the provisions of the Census of Production Act, 1906; whether he is aware of the amount of labour and expense that the furnishing of the detailed information asked for involves on the part of manufacturers and others; and whether he will consider the possibility of simplifying the form of Return.

**MR. CHURCHILL**: The schedules issued under the provisions of the Census of Production Act were carefully considered by the Board of Trade in consultation not only with a General Advisory Committee, but with Special Advisory Committees representing the principal trades of the country, and it is not possible to modify them at the present stage. Having regard to the very large number of Returns in the various trades which have already been received I have no reason to suppose that the obligations imposed by the Act are, generally speaking, found to be unduly onerous. We desire, however, to put manufacturers to the least possible labour and expense consistent with carrying out the provisions of the Act and where any difficulty arises in filling up the schedule every effort will be made to assist manufacturers if they will communicate directly with the Census of Production Office.

**SIR A. ACLAND-HOOD** (Somersetshire, Wellington): Will the right hon. Gentleman consult the President of the Board of Agriculture as to the form of the Returns with regard to the production of timber and underwood, and will they consider the question of making the area the estate or the rural district rather

than the parish, seeing that many plantations extend into more than one parish and it is almost impossible to make the Return parish by parish?

MR. CHURCHILL: I will make it my business to bring the observations of the right hon. Gentleman under the notice of my right hon. friend.

MR. YOUNGER (Ayr Burghs): Is the right hon. Gentleman aware that in the case of the brewery trade, for instance, much of the information asked for must be conjectural?

MR. CHURCHILL: I cannot answer as to the particular trades. But every effort is being made to obtain accurate information, and where the element of conjecture intervenes I think it will be made clear in the Return.

#### **Ireland and Army Horses.**

MR. MOONEY (Newry): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the Government have yet settled what grant is to be made by the Treasury for the encouragement of horse-breeding for Army remount purposes in accordance with the recent announcements made by Lord Carrington; and, if so, whether he can state what part Ireland is to take in this scheme and what share of the fund is to be allocated to Ireland.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. J. A. PEASE, Essex, Saffron Walden): No decision has yet been arrived at in this matter, and it is therefore premature to consider any question as to the allocation of the grant.

MR. MOONEY: Will there be a separate grant for Ireland?

MR. J. A. PEASE: The matter is now the subject of discussion between Government Departments; I can say no more at present.

#### **Weir Hospital Charity Scheme.**

SIR HENRY KIMBER (Wandsworth): I beg to ask the hon. Member for the Elland Division, as representing the Charity Commissioners, whether the Charity Commissioners, in framing the

scheme for the Weir Hospital Charity, assume or allege that the directions of the testator are incapable of accomplishment, namely, the establishment within the parish of Streatham of a dispensary, cottage hospital, convalescent home, or other medical charity with the two freehold properties and the large fund left by the testator for that purpose for the benefit of the inhabitants of that parish and neighbourhood; whether by the terms of the will income only is to be used for the establishment and maintenance of the charity; if so, on what grounds the Commissioners justify their proposal to appropriate £50,000 of the capital and the income of the whole residue of the trust funds to another purpose in another parish; upon what authority, statutory or otherwise, do the Charity Commissioners rely in applying for the benefit of a hospital in another parish and borough, viz., that of Battersea, a fund which was left for the expressed purpose of establishing a charity in and for the parish of Streatham, in the borough of Wandsworth, which parish has a population of 101,628 and an area of  $4\frac{1}{2}$  square miles.

THE PARLIAMENTARY SECRETARY TO THE EDUCATION DEPARTMENT (Mr. TREVELYAN, Yorkshire, W. R., Elland): I must premise my reply to this Question by saying that, as I am no longer responsible for the conduct of the affairs of the Charity Commission, I should not be justified in entering into any discussion on the merits of the proposed scheme of the Commission. The final form of that scheme will have to be settled apart from my opinion. It is proposed by the scheme that a dispensary and also a nurses' home should be established in the parish of Streatham in the two freehold houses left by the testator, but the Charity Commissioners were of opinion that the whole of the charity funds could not properly be applied for these two purposes. It appeared to them that after providing for these purposes some other mode ought to be found for the application of the residue of the funds whether by way of capital or income, and they considered that the best means of attaining the testator's object of benefiting Streatham and the neighbourhood is that for which provision is made by the scheme. It

appears to the Commissioners that the benefits reserved for Streatham and the neighbourhood under the scheme are considerably greater than the charity funds alone could provide for.

MR. JESSE COLLINGS : When will the scheme be laid on the Table ?

\*MR. TREVELYAN : The scheme is not of a character to be laid on the Table of the House.

SIR HENRY KIMBER : I beg to ask the hon. Member for the Elland Division as representing the Charity Commissioners, whether he will state the grounds upon which the Commissioners refuse to publish the Report of the public inquiry respecting the Weir Hospital Charity or communicate it to the inhabitants of Streatham, who are the beneficiaries under the testator's will, and will they lay it and the evidence and correspondence before the House, or supply a copy to the Member representing the inhabitants of Streatham ; and whether the Charity Commissioners have received any, and what, protests, objections, petitions, or letters against the published draft scheme.

MR. TREVELYAN : The report made to the Commissioners by their Assistant Commissioner of what took place at the Inquiry is confidential, and it is not the practice of the Commissioners to communicate such reports in the way desired by the hon. Member. The Commissioners have received numerous objections and suggestions with regard to the published Draft Scheme, all of which will receive their careful consideration.

SIR HENRY KIMBER wanted to know what was the object of a public inquiry if the report was not to be made public.

MR. TREVELYAN : The object is to inform the Commissioners, and not the public.

\*MR. SEAVERNS (Lambeth, Brixton) asked whether as a matter of fact the Trust did provide that the charity should be established within the parish of Streatham.

MR. TREVELYAN : That hardly arises out of the Question I have just answered.

SIR HENRY KIMBER : I beg to ask the hon. Member for the Elland division, as representing the Charity Commissioners, whether the sum of £5,000 which was paid out of the capital of the Benjamin Weir Trust Fund to the Bolingbroke Hospital in Battersea, before any scheme had been published by the Commissioners, was made to secure two legacies from other testators, and, if so, will he state what those legacies were, by whom they were left and the conditions upon which they were bequeathed ; whether the authorities of the King Edward's Hospital Fund who are alleged to have advised union with Bolingbroke Hospital knew at the time of giving that advice of the purposes for which, and the terms upon which, the testator had left his property, and of the directions which he had given for the application of the funds of the charity ; and whether they never expressed any opinion that the wishes of the testator could or could not be carried out in the manner expressed in his will, and never advised that the fund was insufficient for that purpose.

MR. TREVELYAN : The advance of £5,000 was made to secure the promised donations of £5,000 and £900 respectively of which the trustees informed the Commissioners. The authorities of King Edward's Hospital Fund were consulted only as to the best method of employing a gift of about £100,000 for the purposes of a medical charity for the benefit of Streatham and the neighbourhood. The determination of the legal questions arising in the case is a matter for which the Charity Commissioners accept responsibility.

SIR HENRY KIMBER : The hon. Gentleman has not answered my Question as to whether the authorities had expressed an opinion that the terms of the will could not be carried out as provided therein ?

MR. TREVELYAN suggested that another Question should be put down.

MR. ESSEX (Gloucestershire, Cirencester) asked when the £5,000 was paid out.

\*MR. SPEAKER: Notice should be given of that question.

#### **Trawling Prohibition Bill.**

MR. PIRIE (Aberdeen, N.): I beg to ask the Secretary for Scotland if the Government intend to proceed with all the stages of the Trawling in Prohibited Areas Prevention Bill this year; and, if so, is it intended to refer the Committee stage to the Scottish Grand Committee.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): My hon. friend accurately describes the wishes of the Government; how far those wishes can be carried out must depend upon the general progress of business.

MR. PIRIE: Have the provisions of the Bill been approved by the Cabinet, or is it merely a Departmental affair?

MR. SINCLAIR: It is a Government Bill.

MR. PIRIE: Is the right hon. Gentleman aware that if a certain Motion threatened in another place is passed, it will be impossible for this Bill to become law this year, if at all?

MR. SINCLAIR: Yes, I am aware of that.

MR. PIRIE: And——

\*MR. SPEAKER: The hon. Member has already had several shots.

MR. STANLEY WILSON (Yorkshire, E.R., Holderness): When the Second Reading is taken will the right hon. Gentleman see that there is opportunity for full and unfettered discussion?

[No Answer was returned.]

#### **Irish Intermediate Board of Education.**

CAPTAIN CRAIG (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to new rules recently and unexpectedly issued by the Intermediate Board of Education in Ireland prohibiting pupils who had passed in any grade from examination in the same grade again, no matter whether qualified by age or not; whether he is aware that if proper notice had been given of the

Board's intention many pupils would have waited longer before attempting the examination in order to compete for scholarships; and whether, in view of the hardship inflicted by the introduction of the new rule at short notice, he will urge its postponement till after the examinations in 1909.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): The question of deferring the operation of the new rule was discussed by the Intermediate Education Board at their last meeting, and was then postponed for further consideration. I am at present in communication with the Board on the subject, and I hope shortly to be in a position to announce the Board's decision.

#### **Religious Disturbances at Swords.**

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what were the circumstances which required the drafting of a considerable body of additional police into the town of Swords during the past week; how many constables have been injured; and whether any proceedings have been instituted against those responsible for the disorder.

MR. BIRRELL: It was necessary to send ten extra police to Swords to preserve the peace owing to ill-feeling caused by a religious meeting held by strangers in the village. No constables were injured. Two persons are to be proceeded against for throwing stones.

MR. JAMES CAMPBELL (Dublin University): Is it not the fact the religious services in question were held with closed doors and not the slightest element of provocation; is it the case that on five different occasions the people attending them were molested and the doors of the building wrecked; and were the persons responsible for the outrage well known to the police?

MR. BIRRELL: I cannot answer those Questions without further inquiry. I only know that irritation was caused by the holding of certain religious meetings.

MR. JAMES CAMPBELL: But surely the right hon. Gentleman knows if the meetings were held with closed doors



and without the slightest elements of provocation?

**MR. BIRRELL:** I am not in a position to say definitely.

**MR. MOORE (Armagh, N.):** Is it not a fact that these evangelical meetings have since had to be discontinued owing to the interference of inhabitants?

**MR. NANNETTI (Dublin, College Green):** Is the right hon. Gentleman not aware that the most cordial and happy relations exist between the Catholics and Protestants of Swords and that the Catholic priest and Protestant rector worked together in order to prevent disturbances? Have not the troubles now ceased altogether?

[No Answer was returned.]

#### United Irish League Courts.

**MR. LONSDALE:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that United Irish League branches are holding illegal courts at which intimidatory resolutions are passed, which are afterwards published in Nationalist journals, and acted upon; and whether, having regard to the increasing number of cases of boycotting in certain districts, he intends to take any proceedings to suppress incitements to this form of intimidation.

**MR. BIRRELL:** The Government are aware that certain newspapers in Ireland are publishing reports of meetings of United Irish League branches at which intimidatory resolutions are stated to have been passed. The facts have already been placed before the Law Officers of the Crown in order that they may consider what proceedings, if any, are called for.

#### Malicious Injury at Kilrush.

**MR. LONSDALE:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that compensation has been awarded at Kilrush quarter sessions to Mr. James Griffin, J.P., for malicious injury to two horses and a mare, which had their manes and tails cut off, and that the evidence in the case disclosed the fact that the

claimant was recently shot at and wounded; and whether any persons have been made criminally amenable for these offences.

**MR. BIRRELL:** I am informed that compensation was awarded as stated in the Question. The injury to the animals consisted in cutting off their manes and the hair of their tails. It is the fact that Mr. Griffin was recently fired at and slightly wounded. No person has been made amenable for these offences.

#### Royal Irish Constabulary.

**CAPTAIN CRAIG:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the strength of all ranks of the Royal Irish Constabulary on the 1st January, 1906, and on the 1st October, 1908, respectively.

**MR. BIRRELL:** On 1st January, 1906, the strength of all ranks of the Royal Irish Constabulary was thirty seven county inspectors, 204 district inspectors, 235 head constables, and 9,474 sergeants and constables. On 1st October, 1908, the numbers were thirty-seven county inspectors, 195 district inspectors, 241 head constables, and 10,195 sergeants and constables.

**CAPTAIN CRAIG:** Is this extraordinary increase of the police force in Ireland due to the governing of Ireland according to Irish national ideals.

**MR. BIRRELL:** I am not aware I am governing Ireland according to Irish national ideals.

**MR. MOORE:** Did not the hon. and learned Member for Waterford say so in America a fortnight since?

\***MR. SPEAKER:** Order, order.

#### Leitrim Mountain Outrage.

**CAPTAIN CRAIG:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the 2nd October last a band of disguised men, who wore crepe and had blackened faces, attacked a process server in the Leitrim Mountains, at a place called Aughacashel, ten miles from Carrick-on-Shannon, and robbed him of his documents and escorted him out of the

locality; and what arrests have been made and what sentences passed.

MR. BIRRELL: The police have no information as to any such occurrence.

#### Broadford Outrage.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on Tuesday night, the 13th October last, a cattle-drive took place off the farm of Mr. James D. Going, Violet Hill, near Broadford, county Clare, when fifty-four head of cattle were driven; and what arrests have been made and what sentences passed on the perpetrators of the outrage.

MR. BIRRELL: The police authorities inform me that the facts are as stated in the Question. No arrests have been made.

#### Moneygall Cattle Drive.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that about the 15th September last a cattle-drive took place (the second within a fortnight) from a farm in the occupation of Mr. George Friend at Army Hill, Moneygall, King's County, when thirty-three sheep were scattered and seventeen cattle were driven to Glenigile, North Tipperary, seven miles distant; what arrests have been made; and what sentences passed on the perpetrators of the outrage.

MR. BIRRELL. The police authorities inform me that the facts are substantially as stated in the Question. No arrests have been made.

#### Firearms in Ireland.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number of firearms, including revolvers, sold in Ireland since the Peace Preservation Act was dropped by the present Government, to date, and for a similar period prior to 1st January, 1906; and whether, in view of the increase of outrages in which firearms are used, the Government intend to take steps to prohibit the sale of rifles, guns, revolvers, and ammunition to irresponsible persons in Ireland.

MR. BIRRELL: I am not in a position to give the figures asked for in the first part of the Question, nor am I aware of any means by which the Government could obtain precise information on the subject. The Government would be willing to introduce a Bill on the lines of the English Pistols Act if opportunity should offer.

CAPTAIN CRAIG: Will the Government take an early opportunity to introduce a Bill to deal with this serious matter.

MR. BIRRELL: The Government recognise the serious nature of the increase in the number of firings into houses, but the question is how far legislation can effect a reduction.

CAPTAIN CRAIG: Why did you drop the Peace Preservation Act?

#### Incitements to Cattle Driving.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number and names of hon. Members of this House who have publicly advocated cattle-driving in Ireland during the recent recess; in how many cases did the police take shorthand notes of the proceedings; in how many cases did the Government institute proceedings against them; and how many arrests of persons actually engaged in cattle-driving were made.

MR. BIRRELL: I am not in a position to state the number and names of hon. Members who have publicly advocated cattle-driving during the recent recess. The only case of which I have official knowledge is that of the hon. Member for North Longford, who recently delivered a public speech in which he is stated to have advocated cattle-driving. The speech was officially reported and the shorthand notes are at present under consideration. No proceedings have yet been instituted. During the period in question seventy-three persons engaged in cattle-driving were arrested.

MR. MOORE: Was the speech to which the right hon. Gentleman refers delivered since the same hon. Member was tried for inciting to cattle-driving, the jury disagreeing, and the Government taking no further action?

MR. BIRRELL: Yes; I think that is so.

CAPTAIN CRAIG asked whether the Government considered it fair that the people who acted on the advice of hon. Members should be imprisoned while the instigators went free.

[No Answer was returned.]

#### **Irish Constabulary Bill.**

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the date on which he purposes introducing the Royal Irish Constabulary Bill; and whether he can assure the House that any increase of pay and emoluments proposed will date from the first of the financial year, as in the case of national school teachers.

MR. BIRRELL: I am anxious to introduce the Constabulary (Ireland) Bill as soon as possible, but I cannot at present name a date because, as I explained in answer to a Question yesterday, the Bill cannot be introduced until the necessary Financial Resolution has been passed by the Committee. It is not proposed to make the operation of the Act retrospective.

#### **Ennis Outrage.**

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that about seven o'clock on Saturday night, the 10th October last, an outrage was perpetrated at Caherbullane, near Corofin, by Ennis, county Clare, when three gun shots and five revolver shots were discharged at a man named John Cahill and his uncle Thomas Cahill, some of the pellets striking the former on the cheek and legs; how many arrests have been made; what sentences have been passed on the perpetrators of the outrage; and what reason is assigned by the police for the attack.

MR. BIRRELL: The facts are substantially as stated in the Question. John Cahill was slightly injured, one grain of shot striking him in the cheek and another in the leg. No arrests have been made. It would be contrary to practice to state any suspicions the police may have as to the reason for the attack.

#### **Prosecutions for Cattle-Driving.**

MR. MOORE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the observations of the Lord Chief Justice at the Clare Spring Assizes, on which occasion the learned Judge, referring to the returns of boycotting presented to him by the police authorities, pointed out that these returns comprised eleven cases which were described as instances of minor boycotting, and that in five of these cases people not only declined to associate with or deal with the boycotted families, but the latter were also compelled to go considerable distances for the necessaries of life; whether the cases of these five families have since been retained on the list of persons boycotted in a minor degree; and will he state in what respects their cases differ from others which are included in the category of serious boycotting.

MR. BIRRELL: During the twelve months ended 31st July last, 1,237 persons were charged with the offence of cattle-driving; 1,058 persons were ordered to find bail to keep the peace, and of these seventy-one were committed to prison for various terms, ranging generally from fourteen days to three months, in default of finding bail. In one case thirty-two persons were tried at Assizes, but the proceedings resulted in a disagreement of the jury.

#### **Scottish Education Bill.**

MR. PIRIE: I beg to ask the Prime Minister if, in view of the importance of the measure and the small amount of discussion hitherto in this House, apart from the Committee stage, on the Scottish Education Bill, he will consider the desirability of giving two days for the Report stage.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): I cannot at present make any statement as to the exact amount of time that will be given to the Report stage of this Bill, but my hon. friend may be sure that adequate time will be allowed.

#### **English Education Bill.**

SIR GEORGE WHITE (Norfolk, N.W.): I beg to ask the Prime Minister if he is now able to say definitely

whether it is the intention of the Government to proceed with the further stages of the Education Bill as soon as the Licensing Bill has passed through Committee.

MR. ASQUITH: Yes, Sir. That is our intention.

#### The Motor Car Act, 1903.

MR. MARKHAM: I beg to ask the Prime Minister whether, seeing that the provision of the Motor Car Act, 1903, are habitually broken and ignored by motor-car owners and their servants, he will say whether, in view of the numerous deaths and accidents caused to the public if he intends to introduce legislation providing such penalties as will ensure that the law as enacted by Parliament is obeyed by all classes of the community.

\*MR. ASQUITH: I have nothing to add to the Answer which I gave last Thursday to a similar Question by the hon. Member for the Newbury division of Berkshire.

MR. MARKHAM asked whether the right hon. Gentleman was aware that motor-car manufacturers were advertising the fact that cars of 60 or 70 horse-power were being supplied to Members sitting on the Treasury bench; whether under normal conditions these cars were bound to exceed the speed limit; and would he also say the number of Ministers, including himself, who have been convicted during the last few weeks in respect of their cars.

\*MR. SPEAKER: The hon. Member should give notice of that Question.

#### Unemployment—Government Proposals.

MR. ARTHUR HENDERSON (Durham, Barnard Castle): I beg to ask the Prime Minister whether, in view of the amount of suffering caused by the present state of unemployment, he can now state what the Government proposes to do to alleviate the distress, and when a day can be given to discuss the subject.

MR. MYER (Lambeth, N.): Seeing it is obviously unfair that the incidence of the relief rate should be imposed on the poorer districts in which the unemployed now congregate, will the Government

consider the desirability of placing it on a broader basis?

MR. ASQUITH: Mr. Speaker, the statement which I am about to make I can only make with the indulgence of the House. I obviously cannot anticipate the legislative proposals which the Government intend to make at the beginning of next session to deal with the permanent causes and conditions of unemployment. I shall not, therefore, to-day attempt to lay down any of the principles which, when the problem itself has to be faced, will of necessity require careful statement and be properly subject to criticism and review. I will only ask the House to accept my assurance—made in the name and on behalf of the Government—that we do not mean to shirk any of the larger issues which will then be raised. For the moment, in answer to the hon. Gentleman's Question, we have to deal with a special emergency—not, as I shall hope to show, unanticipated and unprovided for, but calling for direct and immediate treatment, without prejudice to our ultimate policy. The situation is a grave one. No one is less disposed than we are who sit upon this bench to minimise its dimensions or to dispute its urgency. From causes, some of which are obvious and admitted and others disputable and obscure, there has been brought about—not in this country only, not in this country mainly, but throughout the allied and interdependent areas of the world's industry—a temporary dislocation of the machinery of production; and the result is visible in an increase of unemployment—not, indeed, beyond precedent, but substantially in excess of anything that we have experienced for some time past. There are faint, but welcome, signs on the horizon which encourage the belief that the existing distress, though acute and widespread, may be short-lived. But be that as it may, without attempting any numerical estimate—which at the best can only be a rough conjecture—there can be no doubt, I think, that during the present autumn and winter, if nothing is done, we shall be face to face with a large body of industrious men and women who, through no default of their own, find for the time no demand for their labour in the ordinary market,



and who, unless steps be taken, must be compulsorily reduced to idleness and want. Sir, I need not say—speaking for a moment on behalf of the whole House—they have our profound sympathy. They have a right to demand, and it is our duty to give them, something more.

The first, and in some ways the most important, part of the statement I have to make relates to what has been done and is being done by the Government and the local authorities. The likelihood of such an emergency as now confronts us was months ago foreseen. From the beginning of the summer—I may say even earlier—my right hon. friend the President of the Local Government Board has been assiduously urging the necessity of those in authority in the areas of probable distress making special preparations, both in the acceleration of work for which they had already power to raise money, and in setting on foot fresh works of public utility for which new borrowing powers would be required. My right hon. friend has been exposed in these matters to a great deal of criticism, and, I think, to a good deal of misunderstanding, and I want to take this opportunity of saying—and I speak from constant personal communication with him during the whole of this time—that he has been lavish of time and labour. He has sacrificed his leisure—practically, I may say, the whole of his holiday—day and night, week after week, and month after month. He has been, with all the energy which the House knows and admires, putting his whole soul in trying to prepare and provide for the emergency which now prevails. I will not go much into figures, but let me summarise, as briefly as I can, the result of what has actually been done, and is being done. First of all, I will ask the House to compare the figures for the amount of loans to local authorities for works of local utility sanctioned by the Local Government Board in three successive years between the months of June and October. In 1906 the amount so sanctioned was £3,530,000. In 1907 it was £3,589,000—no substantial difference—but in the present year it rose to £4,388,000. In other words, in round numbers there was an increase in the loans sanctioned

during those four months to public authorities in the present year of no less than £800,000. But there is a more significant and instructive figure still. I ask the House next to take into account the number and the amount of loans in which the employment of the unemployed in the localities was expressly the object of the application. I take the months between August and October. In 1907 the number of loans falling within that category applied for was five, and the amount of money applied for £3,560. In the same months of the present year the number of applications rose to ninety, and the amount of money applied for to £719,000. That, I think, shows, on the one hand, the growing sense on the part of local authorities of the distress and emergency which they have to provide for, and, on the other hand, an equally strong disposition on the part of the Local Government Board to meet their reasonable requirements. But I must not stop there. On 21st October—within the first three weeks of this month—the loans applied for in the same way on a similar footing, and either sanctioned or awaiting sanction, amounted to £547,000, and there are still on the list to be dealt with—and they will be dealt with, I am certain, with my right hon. friend's usual promptitude—applications for £326,000. Add these figures together and the House will see that, starting from the month of August last and taking the moment at which we are now sitting, a sum of no less than £1,500,000 will have been added to the resources of the local authorities for the purpose of dealing mainly and substantially with unemployment. That is absolutely unprecedented in any previous Parliament. Even so, that does not complete the account. I spoke a moment ago of the acceleration of works under loans which have been sanctioned. Here in London and the Metropolitan area, and largely owing to the advice of my right hon. friend the President of the Local Government Board, there has been or there will be within a very short period, a commencement of works which would otherwise have been deferred to next year or perhaps a later date. I am only taking two or three instances—one, the Water Board and the construction of their reservoir, involving £520,000; another, the Wandsworth

Infirmaries, involving £100,000; and in the case of the London County Council—which I am glad to see is moving in this matter, and moving, I hope, strongly—there is a sum which is not at this moment defined, but which, I am sure, will be substantial.

This special provision has been made in the course of this summer by local authorities, with the co-operation and sanction of the Local Government Board, to meet this special emergency, and I will ask the House to observe two things. These loans, the amount of which I have given, have been applied for and sanctioned on a double footing; first, I will not say with the sole object, but with the main and governing object that the large expenditure which is to be so incurred should be the employment of unemployed labour in the localities from which the applications came; and, in the next place, what is equally important—perhaps more important—that the work to be undertaken under the loans sanctioned should be work to be commenced at once, or, at any rate, without the interposition of any avoidable delay, so that the money can at once pass into circulation and become an effective wages fund for the employment of those at present in idleness. The House may ask on what kind of works this very large sum of money so sanctioned and borrowed is going to be expended, and that I think is a very important point. There is the broadest possible distinction, even when you are dealing with a temporary emergency, between spending money upon what I may call made work—work artificially called into existence, to glide over an emergency of the moment, which will leave no permanent result in the interests of the community—and work of real and permanent public utility. The great advantage of proceeding on these lines is that the money borrowed under the sanction of the Local Government Board is expended upon works for which the local authorities, either under their local Acts or under the provisions of the general law, are empowered to spend the money of the rates—on works like sewerage, drainage, street improvements, erection of baths, the laying out of recreation grounds, the provision of installations for electric lighting, and all

the various other channels by which, in these days, municipal enterprise finds a productive and fertilising outlet. Although I do not profess to be sponsor—who could?—for the wisdom and prudence which have guided the expenditure of money in any particular case—I have no doubt that here, as elsewhere, mistakes have been made, money has been squandered, a due sense of proportion has not been maintained—yet, if you look, as I hope the House will have the opportunity of doing when the return is presented, through the works upon which this sum of money is going to be expended, you will find that it is substantially work which will inure to the permanent benefit of the community in whose area it is being undertaken.

There is another thing to say as to the cost of these works. The money has been borrowed upon loans of varying duration, but for the most part they are short loans, and the cost of repayment both of the annual interest and sinking fund, and ultimately of the principal, falls upon the rates. Therefore the whole burden of this expenditure—I am not speaking for the moment of the contribution from the Central Fund—in so far as it is defrayed by the sums raised out of loans, falls upon the rates of the localities concerned. I have said already that it is a condition of these borrowings and of works sanctioned under them that the business should be begun at once or without delay. The inducement, or one of the inducements at any rate, held out to the local authorities, and for which they in terms stipulate as a condition of their applying for those loans, is that out of the Central Fund—the fund voted by Parliament at the end of the financial year—the Local Government Board will contribute a sum in respect of each set of works which, roughly, represents the difference between the value of contract labour and the value of the unemployed labour which they are specially designed to meet. It is only in that way, by making good that difference out of the Central Fund, that you can provide a sufficient inducement in some cases—I will not say in all—for the work to be undertaken. It is, of course, further to be observed that these loans, which, as I have said, are a burden on the rate:—

**MR. A. J. BALFOUR** (City of London) : Can the right hon. Gentleman say what the estimated difference will be ?

**MR. ASQUITH** : It is extremely difficult to say until the end of the year. It varies between 5 per cent. and 40 per cent. in different places. It is really extremely difficult to say, and I do not believe any figures given at this moment would be of real value or instruction in arriving at a conclusion on that point. It depends, as the right hon. Gentleman will see at once, very largely on the character and quality of the labour that is employed, and upon the extent to which you can resort to the ordinary labour market and get men accustomed to the work to do it or you have to go outside. I made careful inquiry into that question myself, and I cannot say myself, the range is so wide, what the difference will be until we get to the end of the financial year. But I was going to add—not that I complain of the right hon. Gentleman's interruption—that these loans, which in themselves are a burden on the rates, have been and are being supplemented by large voluntary contributions—in Glasgow, for instance, £35,000 ; in Leeds and Manchester no less than £20,000 in each case have been subscribed.

Now, Sir, in view of these facts, which I have recited in the baldest possible way to the House, I think it is impossible to say that the municipalities of the country as a whole have not shown themselves alive to their responsibilities in this matter. It has been suggested, and suggested in various quarters which are entitled to the greatest possible respect, that local authorities should be empowered by fresh legislation to raise a rate, not exceeding 1d. in the £, for the direct employment of unemployed labour. Some such provision was to be found in the Bill introduced by the right hon. Gentleman the Member for South Dublin four or five years ago, but it was ultimately dropped when that measure was passing through the House. In so far as the proposal proceeds on the view that national assistance—I will not say exactly or even proportionately—ought to be conditional on local activity, it is impossible not to sympathise with it.

I think myself very strongly that we ought to be very careful and chary in giving a contribution out of the Central Fund to a locality which has not shown, in one way or another, its determination to do its best to the extent of its own resources to assist its own local people. But, without going into any question of principle—because we are dealing with a special emergency which calls for special treatment—the Government, after the most careful consideration, and viewing the matter in all its aspects, have come to the conclusion that the circumstances do not call for such a change in the law. I should like to make clear what are the grounds which have led us to that conclusion. In the first place, as far as we are aware, no municipality in this country has asked for this power. They have, as I have shown, been in communication for three or four months with the Local Government Board. They have applied for these loans and got sanction for them on the ground that in their view—I do not say that as the law now stands they were not constrained to take that view—that was the proper method. But they have never suggested that they desired, in lieu of the policy of loans, a policy of rating themselves. On the contrary, the representations which I have received—and I have received a good number from the municipalities, and certainly the leading municipalities—have all been in this sense, that the emergency is such as to call upon the Government to deal with the matter on what they call national lines—that is to say, not to increase the burden that falls on the local community, but, as always happens in these days, to call upon the taxpayer, the central authority, to make good whatever the deficiency may be. But there is a more serious point. We have examined the facts very carefully, and we have come to the conclusion that if you gave this power to rate up to a 1d. it is extremely doubtful whether it would be largely taken advantage of, and, therefore, whether it would really be productive. What we want in these circumstances is money. We do not want an academic declaration on the Statute-book either of a principle or anything else. This is a matter of business, and we want to get money, if we can, from the right source. If you take what is called

the distress districts, those in which unemployment really prevails, and exclude London, the total possible yield of a 1d. rate would not exceed £200,000. If you add London, a possible 1d. rate in London—I do not know whether the London County Council would like to levy it, but assuming they did, the yield would be £170,000. That is a total of £370,000.

MR. REMNANT (Finsbury, Holborn): It would realise over £200,000 in London.

MR. ASQUITH: I am told £170,000. Let us call it £200,000 and make the total £400,000, instead of £370,000. But these places are not going to rate themselves both ways. That is quite certain. If they have applied—and the great bulk of the distress districts have applied—for loans, the burden of which as I have shown, in respect of both principal and interest, must be made good out of the local rates, it is not at all likely that they are going to add to that the burden of a 1d. rate in order to provide a comparatively small addition to the resources which would otherwise be at their disposal. Further, I want to deal with this matter as a matter of business, and I can assure the House, and particularly some hon. Members below the gangway who attach great importance to this proposal of a 1d. rate, that I am looking at this purely as a matter of business, and with the sole object of dealing in the best way we can with the emergency we have got to face. You will get a great deal more money for the purposes which are immediately before us in the present winter, for the purposes of the next three or four months, out of your loans than you will get out of a 1d. rate. I have got here a list, which I shall be glad to have printed if the House likes, of twenty-four boroughs which include, I think, almost all the most necessitous and also very large municipalities, like Manchester, Leeds, Liverpool and Salford. If you take these twenty-four boroughs and add up the produce of a 1d. rate levied in each of them, you will find that that comes, roughly speaking, to £63,000. Thus, after allowing for Manchester, which produces £17,000, Liverpool, which produces £18,000, and Leeds, which produces

£8,000, the total produce of a 1d. rate in these twenty-four boroughs would not exceed £63,000. In those very boroughs—I do not say in all of them—some of them have not applied at all—the loans sanctioned or contemplated between June and this present month of October amount to £602,000. In other words, they have placed at their disposal through the machinery of loans for the purpose of dealing with the exceptional circumstances of the country, nearly ten times as much as they would get from the produce of a 1d. rate. And let me add this—a not unimportant fact when you are dealing with this, as I say, as a matter of business, as an expedient to deal with a temporary emergency—that many of these places are places where the rates are already very high. They run up to 9s. 8d. and 9s. 10d. in the £ and, knowing as one does, human nature, and especially rate-paying and rate-imposing human nature, I suspect it would take a very long time before you could induce the governing body of one of these really necessitous areas to add to the burden of the rates for a temporary emergency a comparatively insignificant sum when, by the loan machinery which has been resorted to, they can provide much better for their wants. I have said so much on that point because I know it is one to which great importance is attached, and because it is one on which the judgment of the country ought to be determined, not upon academic grounds, and not upon grounds of dry economics, but upon practical and businesslike grounds. The Government have satisfied themselves that for these three, four, or five months which lie before us you will make a more adequate provision out of local resources to deal with the problem of local unemployment by resorting to the machinery of loans than you would if you adopted a 1d. rate.

The House may well ask, What are the Government themselves doing, and what do they intend to do? Well, first of all, I will say a word about what has been done, or what is going to be done, by the Government Departments, because they have great responsibility in this matter. The Post Office, a very large employer of labour—probably the largest in the kingdom—in addition to various minor



reforms in regard to overtime and so on, for the special purpose of dealing with this matter is taking on during the Christmas season, for the extra work which falls upon it at that time of the year—is taking on as it did last year—8,000 men, so far as possible men who are genuinely unemployed, largely obtained through the Central Unemployed Body of London, at wages which, owing to the action of my right hon. friend, have been raised from 20s. to 24s. a week. That may seem a small thing, but it is an important thing as far as it goes; and my right hon. friend, very wisely, if I may say so, has sought to extend the area of action in this matter by taking steps to provide with similar employment for these special seasonal purposes the unemployed in the great provincial centres of population.

Then I come to the War Office. Let us see what that Department is doing. The replacement of the Militia by the Special Reserve has largely increased the amount of military employment in the winter months. A Special Reservist under the new system has only a fortnight's summer camp; but he does six months drill on enlistment, so that if he enlist early in the autumn, as the War Office encourages him to do, he is provided for throughout the winter. The War Office is prepared to take at least 24,000 recruits in the Special Reserve between now and March. We have got 5,000 already, and they are coming in faster, I am glad to say, week by week; and the War Office has decided, very wisely, to widen the choice of the intending recruit by throwing open the Army Medical Corps and the Army Service Corps, as well as the combatant branch, so that they may have a wider area of employment. If you take the lowest rank in the worst-paid arm, the emoluments are 1s. a day in cash, in addition to rations, and in addition to four payments by way of bounty of £1 each. If the 24,000 men whom the War Office want will join, that Department will spend during the winter of this year something nearly approaching £200,000. That is a very substantial addition to the provision made for the unemployed.

Now I come to what is, perhaps, more important—the action taken by the

Board of Admiralty. At Portsmouth, Devonport, Chatham, Sheerness, Pembroke, and Haulbowline 2,100 men are to be specially engaged for repair work, which in the ordinary course would not have been undertaken this year. Those who have been previously employed in the yards will have first consideration, and their engagement will terminate on 31st March, 1909. The cost of that is £73,500. Tenders have been accepted for the construction of nine destroyers. According to the programme foreshadowed in the early part of the year these tenders would not have been accepted before the end of November. It is not advisable to disclose the exact amount of money involved, but it may be stated to be very nearly £900,000. Tenders for five unarmoured cruisers have been called for and are due on 5th November. According to the programme these orders would not have been placed until January, 1909. It is now hoped to place them by 26th November, possibly some of them by 15th November. The total of these tenders will certainly exceed £1,500,000 sterling. These orders meaning, as the House will see, £2,500,000 will be placed this year upwards of six weeks in advance of the time originally proposed. Ante-dating the programme in this way by six weeks, and in some cases two months, means that, presumably, £200,000 more will be spent this winter by the contractors in executing the orders than would have been the case under the original programme. These orders will be distributed between the different shipbuilding centres, so that, as far as possible, they may fairly share them.

Now let me come, in conclusion, to the central grant, which is directly paid out of the taxation of the country. Apart from the function to which I have already referred—that of making good, in the case of these municipal loans, the difference to the local authorities between what may be roughly described as contract and casual or unemployed labour—the central fund is applicable to two main purposes. In the first place, it can make grants to localities which are too poor to borrow or to borrow on any adequate scale. There are many such, and we know it is most desirable that where the rateable capacity of a locality

is so low and at the same time its congestion of population and of unemployed is so great that ordinary conditions cannot be said to exist, the special fund should be allocated to that particular purpose. Another purpose to which the central fund can be applied is to pay for the employment of labour for purposes other than those for which loans are or can be sanctioned, but which fall within the scope of municipal enterprise. This is largely done by the Central Unemployed Body of London, a body to which I desire to pay a hearty tribute of gratitude and sympathy for the admirable work which it has done in the course of the last three years. We propose to increase the amount of the central fund. It is almost impossible at this moment to forecast with anything like precision what sum will meet the full necessities of a situation which is not yet fully developed. We propose in the first instance to double the amount of the central grant which was actually expended last year, which will bring us at once to an available figure of about £300,000. I do not pretend to predict the future in regard to that; but we are not content with increasing the amount of the central grant. We think a clear case of necessity has been shown for rendering more elastic the provisions and conditions under which it has been distributed. We propose to give the most elastic and most liberal interpretation possible to the character of the work which is to be aided out of the grant. When you are dealing with a special emergency like this, I am satisfied, as I believe everybody who hears me is, that you may stretch the limits which quite properly from a business point of view would be imposed when conditions were more nearly normal. Further, with regard to the special conditions under which this grant is administered, we propose they should be relaxed in two important particulars—first, so as to allow assistance to be given, in proper cases, to persons who have been receiving Poor Law relief during the last twelve months, who are at present excluded; and in the second place—and I think this equally important—so as to remove the disqualification of persons who have been assisted under the Act in each of the last two years. With those

three modifications, elasticity in the character of the work and the removal of the disqualification in respect of Poor Law relief and assistance during the last two years, I believe the main objection which has been taken and the main criticisms of the present administration of the grant will be effectually removed.

May I add how much can be done at a time like this, in addition to anything that the Government or local authorities can do, by landowners and well-to-do people in every walk of life, not merely by benevolent contributions, but by anticipating and accelerating work which in the normal course of things would have to wait until a later date to be carried out? The proposals which I have laid before the House on the part of the Government, I need hardly say, even for the purpose of dealing with the emergency in front of us, make no pretence to the character of finality. If and when the necessity should arise we shall be perfectly prepared to consider in what direction and to what extent they may need to be supplemented. But we believe them to be both adapted and adequate to foreseeable needs; I am sure that as we are in the presence of a national misfortune they will not be canvassed in the spirit of Party. Like all expedients of the kind they are little better than anodynes to produce temporary relief, which do not go down to the root of the evil. And we submit them merely as such, and with the hope and the intention that before this Parliament ends its labours we may be able to strike a real and an effective blow at the permanent causes of unemployment.

MR. A. J. BALFOUR, on behalf of the Opposition, thanked the right hon. Gentleman for his extraordinarily clear statement, and asked how soon he proposed to give the House an opportunity of discussing the matters he had brought before them. So far as he was concerned he did not want the day to be fixed too soon, not this week, nor perhaps next week. [LABOUR cries of "Oh!"] He would give his reasons. The right hon. Gentleman had necessarily travelled over a very wide field and had referred to questions of extraordinary interest and intricacy. They would enter

on the discussion far better equipped for debate if they were allowed some time to think over the right hon. Gentleman's statement and by Question and Answer to elicit replies from the Ministers concerned which would make them thoroughly acquainted with the proposals of the Government. Therefore, although he was the last person to wish to see the discussion delayed, he thought they ought to be allowed a few days before they approached the most complicated and most important question with which it was possible for the House to deal.

MR. ARTHUR HENDERSON (Durham, Barnard Castle) desired to say on behalf of his colleagues how thankful they were that the Prime Minister had made a clear and definite statement on this important subject. He was not in a position at the moment to venture any opinion as to whether the proposals were adequate or satisfactory, but he would urge the importance of a day being granted for their discussion much earlier than had been suggested by the Leader of the Opposition. The question was of extreme urgency; and on behalf of his colleagues he would urge that Monday next should, if possible, be fixed as the date of the discussion.

MR. JOHN O'CONNOR (Kildare, N.) asked whether in his survey of distressed localities the Prime Minister had taken Ireland into his purview. Had he taken steps to ascertain the amount of unemployment in Dublin, Limerick, Cork, and elsewhere, and would those plans be taken into account in the administration of the central fund.

MR. ASQUITH asked that he should have notice of Questions relating to Ireland. With regard to the date of the discussion, the Government would like to consult the general convenience of the House. He would not commit himself at the moment to any particular day, but he confessed that the inclination of his own opinion was to take the discussion on an early day, because it was obviously a matter of urgency and should be discussed as soon as possible.

# LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 4 :

MR. JAMES HOPE (Sheffield, Central) moved an Amendment providing that in the case of old on-licences extinguished under the power of optional reduction, the compensation should be in accordance with the financial provisions, not of the Bill, but of the Act of 1904. He said that when this scheme had taken effect the number of public-houses would be brought down to the level of the wants of the neighbourhood, and now it was proposed to give the justices special power beyond that to reduce licences. If the theory of the Bill was that the scale of reduction would bring the licences down to a proper proportion he submitted that if the magistrates went beyond that on the face of it they should grant those houses the old-standing terms they would have received before this Bill was brought in. On those grounds he begged to move his Amendment.

Amendment proposed—

“ In page 3, line 30, to leave out the words ‘ this Act,’ and insert the words ‘ The Licensing Act, 1904.’ ”—(Mr. James Hope.)

Question proposed, “ That the words ‘ this Act’ stand part of the clause.”

\*MR. G. D. FABER (York) said this was a Bill primarily providing for the reduction during a certain number of years of a certain number of licences, and it had always been approached from that standpoint. During a period of fourteen years the total number of licences would be reduced by 30,000, and a certain measure of compensation would apply to them. With regard to the licences coming under Clause 4, which was the clause for optional reduction, it would be well that a different standard of action should be applied. That clause being altogether an exception to the main scheme of the Bill, he put it to the Committee whether the compensation should not

Mr. HERBERT SAMUEL said the section dealt not with the granting of a licence but the renewal of a licence.

\*Mr. JAMES HOPE said that the words of the section as they stood would, if the justices thought they had the power, unless modified, enable them to attach a monopoly value during the reduction period to the renewal of an on-licence. The Solicitor-General was redrafting the clause he understood, and he would ask him to make quite clear what the power was.

Mr. A. J. BALFOUR said he did not thoroughly understand what the powers given were. They wanted to know what was meant by the words "new licences under the Act of 1904." The licence granted since 1904 came to an end, was not renewed, and no compensation was to be made. The contract between the justices on the one hand and the post-1904 licensee on the other was finished and complete, and he took it that the new contract was for not renewing the old licence at all. He did not think it ought to be called a renewal; it was a new thing altogether. If he was right in that, then the powers the justices had for the time being with respect to other on-licences, namely, the post-1904 licences, were the same as they had with regard to the licences coming to an end. Suppose the 1904 licence had come to an end, then the new licence thereupon created might carry with it all sorts of new and extremely onerous conditions which they could not put upon the old licence; and what they wanted to know was whether the Government were not merely restoring the pre-1904 powers of the magistrates, plus a certain right to compensation—whether they were giving them not merely their old powers of power; in other words, granting power to deal with pre-1904 licences. That was he desired to have cleared

ANS pointed out that line 34 made it clear that the provision referred to pre-1904 licences might be a refusal to renew and this sub-clause did not apply to post-1904 licences at all.

The operative part of this section was line 34, which enacted what the power of the justices would be with reference to pre-1904 licences. With regard to post-1904 licences, if the licence was granted for a term under the Act of 1904 it came to an end, and there was a provision in that Act which provided that any application for a re-grant of a licence for a term should be treated as an application for a new licence. The operation of this sub-clause was not upon the pre-1904 licences at all.

Mr. A. J. BALFOUR: Then why not content yourself with saying that the old powers shall be given to the magistrates?

SIR E. EVANS: Well, we will redraft it in that sense.

Amendment, by leave, withdrawn.

\*Mr. CAVE said the Amendment he had on the Paper dealt with a matter which might seem a small one, but it was very important to the parties interested. Under the Act of 1904 when a licence was refused, on the terms of compensation being paid, provision was made for continuing the licence until the compensation was actually paid. It was thought unfair that the publican should lose his licence until he had actually got the money, and provision was made in Clause 6 of the Act of 1904 for continuing the licence refused until actual payment of the compensation had taken place. That seemed perfectly fair, and the object of his Amendment was to make the same provision in this clause. A licensee might have his licence refused in April in one year and might not get his compensation until three, six or even twelve months later, and meantime he might have to go without means of livelihood and without his compensation. He had known a case where the firm and a portionment of the compensation had taken twelve months, and he hoped that some provision would be made for meeting this case.

Amendment proposed—

"In page 4, line 3, at the end to insert the words 'and the refusal shall not take effect until compensation has been paid, the licensee



when necessary being provisionally renewed or transferred for this purpose.'"—(Mr. Cave.)

Question proposed, "That those words be there inserted."

SIR S. EVANS said there was provision in the Act of 1904 dealing with a provisional renewal of a licence, but it had been omitted from this Bill because it was unnecessary under the procedure now adopted. In many cases where a licence was referred to the Court of Quarter Sessions there was an interval of time before Quarter Sessions could deal with it, and there was also an interval before the compensation was paid, and meanwhile the licensee was entitled to carry on business until he actually received the money. But the procedure under this Bill was quite different, and it was intended that in the case of statutory reduction and the other reduction that the matter should be dealt with at the annual licensing meeting of the justices, who would be the final tribunal. Therefore they had not to go to Quarter Sessions. The intention was that the licence should come to an end on the 5th April next succeeding the annual licensing meeting which was generally held in February and March. They had dealt with compensation having regard to these circumstances, and it would be seen that Clause 10, subsection 2 provided—

"And the number of unexpired years shall be calculated as from the 5th day of April after the date on which the renewal of the licence has been refused by the licensing justices."

That was to say that the amount of compensation which was to be received by the person who lost the licence was to be fixed with reference to the 5th April, the date at which it ceased. Therefore it was unnecessary to insert the provision which had been suggested. The hon. and learned Member opposite said that he was not wedded to this particular form of words, and his Amendment was to the effect that the house should be kept open meanwhile. That was a different matter from saying that something in the nature of interest should be paid or an advance made to the licensee. The point raised was whether the house should be closed or not on 5th April and the policy of the Government was that it should be closed on that date as licensed

premises. Therefore the Government were not able to accept the Amendment.

MR. F. E. SMITH thought the Solicitor-General would have been well advised to accept the principle of this Amendment even if he had varied the expression of it. What had his hon. and learned friend pointed out? He had with his great experience told the Committee that unforeseen accidents did take place, and where a delay had not been anticipated it had actually taken place and the licensee had not been compelled to close his house. Under the present Bill it was true one or two obvious grounds of delay which existed in 1904, had been removed, but no one would contend that under the Bill the Government were free from all chance of delay. The hon. and learned Gentleman had referred the Committee to a later section dealing with quite a different matter not in any way affording security for the payment of the money. Surely it would save considerable debate and make it clear that no hardship would accrue if words were inserted providing that in case compensation had not been paid the house should not be closed. The hon. and learned Gentleman said he would not do that, and if he refused the Amendment, unless he could show that under no conceivable circumstances could this arise, his action would naturally create a sense of suspicion and discontent, and it would be taken as a refusal to meet an obvious grievance. If there was any method of satisfying them that this contingency could not arise it would be different, but the hon. and learned Gentleman had not shown that this was the case.

\*MR. HERBERT SAMUEL said they agreed that there was a possibility of such a grievance arising, although he did not think it was probable. The settlement of the amount of compensation might take some little time, and meanwhile the man's house being closed, if he had no other resources, hardships might arise. The point was one which clearly ought to be met. But the way which had been suggested by the hon. and learned Member opposite was very undesirable, and he would state briefly why. Under the Act of 1904 power was

\*THE CHAIRMAN suggested that it would be better to withdraw the Amendment and the question as to whether the extra houses, if extinguished, should be compensated on a higher scale could be raised on Clause 10.

MR. JAMES HOPE said that his argument was that the extra licences stood in a stronger position than the licences statutorily reduced. However, he would gladly accept the suggestion of the Chairman and withdraw the Amendment.

SIR S. EVANS hoped that the Committee would allow the Amendment to be withdrawn. The real truth of the matter was that this subsection of Clause 4 did not touch the question of compensation at all; and he was sure that it would be perfectly competent to discuss the point raised by the hon. Gentleman on Clause 10.

Amendment, by leave, withdrawn.

\*MR. CAVE moved to leave out subsection (2). The point he wanted to take bore somewhat on the question debated at a late hour on the previous night, viz., as to the right of appeal. The subsection provided that—

“Subject to the foregoing provision the licensing justices shall have the same powers and discretion (subject to the like appeal) as to refusing the renewal or transfer of an old on-licence as they have for the time being with respect to other on-licences.”

He was rather puzzled to know what the other on-licences were. The reference appeared to be to on-licences other than old on-licences, and therefore to on-licences granted since the Act of 1904. But the on-licences granted since 1904 were granted on monopoly value, and with regard to those granted for a term of years there would be no question of compensation at the end of the term. He could not help feeling that there was some confusion of thought which inspired the drafting of this Bill. He did not know whether this clause did preserve the right of appeal in cases coming within this clause; and he hoped that that would be made clear. Of course, apart from that question, they had the strongest objection on principle

to this subsection. There were two things of great importance involved in it. In the first place it took away from Quarter Sessions the power of dealing with those licences; and secondly, there was the alteration of the present scale of compensation. The clause provided that if a renewal or transfer of an old on-licence was refused during the reduction period then compensation should be paid in accordance with the provisions of this Act. He begged to move.

Amendment proposed—

“In page 3, line 32, to leave out subsection (2).”—(Mr. Cave.)

Question proposed, “That the words of subsection (2), down to the word ‘this’ in line 3, page 4, stand part of the clause.”

THE FIRST LORD OF THE ADMIRALTY (Mr. McKenna, Monmouthshire, N.) said that the hon. and learned Gentleman had put his point so fairly that he almost disarmed criticism. A question of principle, however, was involved in this subsection, and he could hold out no hope that the Government would change their view as to the desirability of giving power to the local justices to deal with this matter. He thought that the clause adequately provided for an appeal.—All that the clause did was to provide that the local justices should have revived to them the same powers and discretion as to refusing the renewal or transfer of an old licence, not necessarily every year but at the expiration of the period for which the licence was granted; but when it did come up for renewal or transfer at the expiration of the period it would then be treated under the provisions of this clause as a new licence. If they exercised that discretion which they had before 1904, then it could only be exercised subject to the payment of compensation. He thought there was no real difficulty in the interpretation of the clause. The House had already decided on the point of principle, that the discretion of the local justices should not be reviewed by Quarter Sessions.

SIR S. EVANS said he did not desire to repeat the argument he had used on the previous night. The intention of

had a profound dislike of the scheme of compensation proposed by the Government, and he regretted that any responsible Government should have committed themselves to such an extraordinary perversion of justice as was contained in the section. He thought that in this particular set of reductions—reductions which were entirely discretionary and on a different footing—there should be the freest and fullest compensation. In the particular clause they were now discussing they were going to allow a bench of magistrates to extinguish licences beyond even the scale provided by the Bill.

MR. WALTER LONG (Dublin, S.) said he would not enter into competition with the Solicitor-General on a matter of legal construction, but this was not a matter of legal construction at all. It was a matter of the plain meaning of the English language. If the clause were passed in its present form there could be no doubt whatever that the compensation payable for the licences extinguished beyond the statutory number provided for under the scheme would be the compensation payable under this Bill. If the words of the Amendment were inserted a separate scheme of compensation would be payable. Unless those words were inserted now he believed it would be impossible for the Government to make Clause 10 carry out the necessary change. The discretion given to the licensing justices beyond the statutory reduction was to apply to licences "in any rural parish or urban area," and he profoundly regretted that his hon. and learned friend the Member for Kingston did not move the Amendment standing in his name to leave out these words. In a vast number of cases since the passing of the Act of 1904 licensed property throughout the country had acquired special value. The owners of licensed property in his own county had surrendered licences in order to secure licences which they now had running. These would now become subject to the operations of this clause, and to say that licences of that kind, which had acquired a value they did not possess before, were to be destroyed subject to the scale of compensation payable by the justices under the

general scheme of the Bill was very unjust. If the Solicitor-General was right in saying that this proposed Amendment was in the wrong place or form it would be easy to alter the place and form. It seemed to him that the Amendment, if accepted as proposed now, would have the effect they desired. If the Amendment was not made here, it could not be done on Clause 12.

SIR S. EVANS : Yes, it can.

MR. WALTER LONG said he was sure the Solicitor-General would not give an assurance of that kind unless he was confident. If that was so he would not press for the insertion of the words here. It was conceivable that, under the procedure Resolution, they might not reach that part of the clause on which the change was to be made. He thought this Amendment was of the utmost importance, especially with regard to the extra licences which he had referred to as having acquired an additional value, which should not be ignored by the supporters of the Bill.

\*MR. CAVE said he did not move his Amendment to this clause, to leave out "in any rural parish or urban area," because it was put down as consequential to an Amendment on an earlier clause enlarging the area for the purpose of statutory reduction. He was strongly in favour of a larger area, but the Amendment was defeated. He agreed with his hon. friend that the Amendment now before the Committee raised the whole question of the scale of compensation. By the words proposed to be omitted the Government were providing that the licences extinguished on the optional system would be compensated at the lower scale. If the clause passed as it stood it would be extremely difficult to argue afterwards the point that the extra licences beyond the statutory reduction ought to be compensated on a different scale. By accepting the Amendment it would not prejudice that question. This was a question affecting not brewers only, but owners of licensed houses of every kind.

prejudice in the locality, and where they could rely upon justice being done. It was for no reason except that of working up feeling in favour of local justices against Quarter Sessions that this provision was inserted.

MR. JAMES HOPE said it might be due to the density of the lay mind, but he did not understand the answer of the Solicitor-General to the hon. Member for Kingston as to the obscurity of these words "other on-licences" in distinction from "an old on-licence." What would be the effect of these provisions in regard to new licences granted under the Act of 1904? The clause said that with regard to the renewal of these licences the magistrates had the same power. These powers under the fourth section of the Act of 1904 were very extensive indeed, and he submitted that if one of these licences granted under that Act came up for renewal the magistrates might attach fresh conditions to it. For instance, if the licence were granted, say last year for a term of three years, and came up under the operation of this Act within two years, it might be in 1910, quite early in the reduction period, the magistrates might well make use of their powers under the fourth section and vary the conditions of granting the renewal and attach conditions as to monopoly value, so that the licence would not be renewed unless these conditions were submitted to. He thought it was plain that that would refer to all licences granted under the fourth section of the Act of 1904. If that was true of them what did this provision mean? It applied the condition to all "on-licences," and the effect would be to give the magistrates powers in regard to them, to attach the same conditions of renewal as they at present attached to new licences under the Act of 1904, and in that way they might even during the reduction period put before the licensees the alternative of being cleared out altogether under the compensation provisions of Clause 10, or having their licences renewed subject to that very monopoly value which the Prime Minister said he did not mean to exact for twenty-one years. He thought that was the meaning of these words and he should like to know if the

*Mr. G. D. Faber.*

Solicitor-General could supply an explanation.

MR. F. E. SMITH (Liverpool, Walton) said that as at present advised if his hon. and learned friend went to a division he should not be able to support him. As he understood it except for the words in this subsection there was no provision even for the grossly inadequate compensation provided for under this Bill, and if this subsection disappeared even that inadequate compensation would be lost. Therefore he had a difficulty in supporting the Amendment of his hon. friend. But on the earlier part of the clause he thought his hon. friend raised a substantial difficulty, which had not been adequately answered by the Solicitor-General. It might be that the difficulty was only due to somewhat obscure drafting, but certainly an explanation had not been forthcoming of the curious method of expressing themselves which the draftsmen, no doubt by the instruction of the Government, had adopted. He conceived that the operative part of subsection 2 was that, subject to the provision at the end of subsection 1, Quarter Sessions should cease to be the tribunal in dealing with these licences, and the licensing justices should be constituted as the tribunal. It would be quite possible to say that easily and simply without any reference to the old on-licence or other on-licences, and he confessed himself puzzled to know what the powers were which would not otherwise have been possessed in respect of post-1904 licences, which were to be given to the magistrates decision under subsection 2 in regard to pre-1904 or old on-licences. If a licence had been granted for three or four years he did not know what power the provision gave which was not possessed under the Act of 1904. It appeared to relate to a different class of licences, and there must be some reason for it.

MR. A. J. BALFOUR said he rose to put some points to the Government and also to the Chair with regard to order and the convenience of the debate. In the first place, he hoped before they went further there would



the Government was to give a full right of appeal on the point raised by the hon. and learned Gentleman, but if the hon. and learned Gentleman thought that any words would make that intention clearer he would communicate with his hon. friend as to the form of words which might be employed.

SIR E. CARSON (Dublin University) expressed satisfaction with the undertaking of the Solicitor-General that he would accept words to make it clear that there was a right of appeal in the cases mentioned by the hon. and learned Member for Kingston.

\*MR. G. D. FABER said that before they let this clause out of the hands of the Committee he should like to say a few words about it. He should like to call attention to the fact that under subsection 2, the licensing justices had the same powers and discretion (subject to the like appeal) as to refusing the renewal or transfer of an old on-licence as they had for the time being with respect to other on-licences. It was strange to call that a full discretion. He should hardly call it a full discretion which limited the licensing justices in one direction, and gave them no power in another. It said that they might refuse, but it did not say that they might grant additional licences. Additional point was lent to this criticism by the words used by the Prime Minister when he introduced this measure, with regard to optional reduction. He said that the Bill gave power to make optional reduction, and that it was a power vested in the authority in addition to its statutory duty, so that they restored, under this Bill, to the licensing authority the discretion which was taken away from it by the Act of 1904, with regard to refusal, renewal and transfer of existing on-licences, and they repealed the provisions of the 1904 Act vesting such power in the Quarter Sessions. With all respect to the right hon. Gentleman the clause which they were now discussing did nothing of the kind. The right hon. Gentleman said that it restored to the licensing authority the full discretion with regard to refusal and renewal, but when they looked at the clause they found that it was restricted entirely to

refusal. Therefore, the right hon. Gentleman when he foreshadowed what was going to be done under the Bill did not foreshadow it properly.

MR. McKENNA wished to point out that the words were "refusing the renewal." Therefore, if they did not refuse, they renewed.

\*MR. G. D. FABER said the power was limited to further reduction. He was in some doubt, owing to the extraordinary way the subsection was drafted, on another point. Licensing justices had the same powers or discretion as to the refusal of the renewal of an old "on-licence" as they had, for the time being, with respect to "other on-licences." This was most obscure, especially when he considered what were the provisions later on of Clause 20, which were of the most drastic and far-reaching nature. He knew he was not in order in referring to Clause 20 at length. Under that clause the licensing justices might attach all sorts of conditions to the licence, and if those conditions were not complied with then there was no compensation to the publican. The old on-licences might, it seemed to him, under the wording of the subsection, be subjected to those conditions. The wording of the subsection clearly required alteration. On the general question of which was the preferable tribunal, the licensing justices or Quarter Sessions, that was more or less dealt with last evening, and he would not trouble the Committee with it in any detail, but he would like to say that his opinion remained the same, that the best initial tribunal in all the circumstances of the case would have been the Quarter Sessions, and not the licensing justices. The main object of the Bill from first to last seemed to be to find some stone to throw at anybody supposed to favour the licensed trade. Here the body that had been selected was the Quarter Sessions. The reason why the Act of 1904 substituted Quarter Sessions for the licensing justices was that in a matter where there was any feeling in regard to licences aroused, it was much better to remove the settlement of the question from the local to the larger arena, where it would not be swayed by any

prejudice in the locality, and where they could rely upon justice being done. It was for no reason except that of working up feeling in favour of local justices against Quarter Sessions that this provision was inserted.

MR. JAMES HOPE said it might be due to the density of the lay mind, but he did not understand the answer of the Solicitor-General to the hon. Member for Kingston as to the obscurity of these words "other on-licences" in distinction from "an old on-licence." What would be the effect of these provisions in regard to new licences granted under the Act of 1904? The clause said that with regard to the renewal of these licences the magistrates had the same power. These powers under the fourth section of the Act of 1904 were very extensive indeed, and he submitted that if one of these licences granted under that Act came up for renewal the magistrates might attach fresh conditions to it. For instance, if the licence were granted, say last year for a term of three years, and came up under the operation of this Act within two years, it might be in 1910, quite early in the reduction period, the magistrates might well make use of their powers under the fourth section and vary the conditions of granting the renewal and attach conditions as to monopoly value, so that the licence would not be renewed unless these conditions were submitted to. He thought it was plain that that would refer to all licences granted under the fourth section of the Act of 1904. If that was true of them what did this provision mean? It applied the condition to all "on-licences," and the effect would be to give the magistrates powers in regard to them, to attach the same conditions of renewal as they at present attached to new licences under the Act of 1904, and in that way they might even during the reduction period put before the licensees the alternative of being cleared out altogether under the compensation provisions of Clause 10, or having their licences renewed subject to that very monopoly value which the Prime Minister said he did not mean to exact for twenty-one years. He thought that was the meaning of these words and he should like to know if the

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Solicitor-General could supply an explanation.

MR. F. E. SMITH (Liverpool, Walton) said that as at present advised if his hon. and learned friend went to a division he should not be able to support him. As he understood it except for the word in this subsection there was no provision even for the grossly inadequate compensation provided for under this Bill and if this subsection disappeared even that inadequate compensation would be lost. Therefore he had a difficulty in supporting the Amendment of his hon. friend. But on the earlier part of the clause he thought his hon. friend raised a substantial difficulty, which had not been adequately answered by the Solicitor-General. It might be that the difficulty was only due to somewhat obscure drafting, but certainly an explanation had not been forthcoming of the curious method of expressing themselves which the draftsmen, no doubt by the instruction of the Government, had adopted. He conceived that the operative part of subsection 2 was that, subject to the provision at the end of subsection 1, Quarter Sessions should cease to be the tribunal in dealing with these licences, and the licensing justices should be constituted as the tribunal. It would be quite possible to say that easily and simply without any reference to the old on-licence or other on-licences, and he confessed himself puzzled to know what the powers were which would not otherwise have been possessed in respect of post-1904 licences, which were to be given to the magistrates decision under subsection 2 in regard to pre-1904 or old on-licences. If a licence had been granted for three or four years he did not know what power the provision gave which was not possessed under the Act of 1904. It appeared to relate to a different class of licences, and there must be some reason for it.

MR. A. J. BALFOUR said he rose to put some points to the Government and also to the Chair with regard to order and the convenience of the debate. In the first place, he hoped before they went further there would

be some explanation from the Government as to the rather cryptic phrase which had puzzled Gentlemen more learned than himself—

“Subject to the foregoing provisions the licensing justices shall have the same powers and discretion (subject to the like appeal) as to refusing the renewal or transfer of an old on-licence.”

Apart from that it seemed to him that this was the proper place in which his right hon. friend the Member for South Dublin could properly raise a question to which he attached great importance, the question whether the discretion of Quarter Sessions might not at all events be retained with reference to the rural areas. It was not the same question that had been raised on the previous day by the hon. and learned Member for Kingston, but quite a different one. He did not know exactly what words were put from the Chair, but it seemed to him that this question could best be raised by the insertion of words after the word “shall” in line 33, so that the clause should run: “The licensing justices shall except in rural parishes.” That would be a convenient way of raising the question his right hon. friend desired to raise with regard to certain questions which especially affected the rural areas of the country. He therefore asked whether the general question would be best discussed on this Amendment or whether his right hon. friend should await a more convenient opportunity to introduce this or a similar Amendment at or near the beginning of line 33. Another point he had to suggest for the convenience of the debate was the point raised by the hon. and learned Member for the Walton division of Liverpool, who had truly said that much as they objected to some parts of this section they did not object to some compensation being given for those licences which were refused at the unfettered discretion of the local justices. They thought the compensation was inadequate, but they also thought the worst compensation was better than no compensation at all. Those were the three points. The first was an explanation of certain words, the second was for the Chairman to say as to what would be the more convenient course for dealing with the rights of

rural parishes with regard to licences, and the third was whether, whatever the Chairman’s ruling might be on this particular point, it would not be wiser to have that discussion on this subsection, having regard to the fact that this was the only subsection which dealt with the licences to be reduced.

\*THE CHAIRMAN said he put the words down to the word “this” in line 3, page 4. Therefore it would be necessary for the present Amendment to be withdrawn by consent if another Amendment was to be proposed in the way suggested by the right hon. Gentleman. That, of course, was a matter for the Committee.

SIR S. EVANS said he had no objection to that course being taken.

Amendment, by leave, withdrawn.

MR. WALTER LONG, in moving the insertion of words exempting rural parishes from the discretion of the licensing justices, said he desired to raise the question of the application of this subsection to the rural areas of the country. He raised it on this clause, because as had been pointed out, it stood absolutely clear and distinct from the main policy of the Bill. This was the clause which gave power to deal with what had been called the extra licences, and it proposed to take away the power now possessed by Quarter Sessions, and transfer it to the licensing justices of the district. Whatever might be said with regard to the general principle with regard to the large towns and urban areas, the general convenience of the community had been entirely ignored by the Bill. Yesterday the hon. Member for the Appleby division gave a description of certain parts of the country which he said enjoyed great blessings owing to the absence of licences. He had ventured to interrupt the hon. Gentleman by pointing out other districts which were quite as blessed which possessed licences. He was going to submit that their condition was not due to there being no licences. He had in mind a great many rural parishes in which there were no public-houses in the villages and

be of a different character. They had a method of compensation ready to their hand which was set forth clearly under the Act of 1904, and which had worked satisfactorily. The compensation that would be provided in cases of optional reduction under the scheme of 1904 would not cost the State a farthing, and would not set up the injustice of which they had had occasion to complain in cases of statutory reduction. If the Government were open to argument at all, if they had not stopped their ears with wax or cotton-wool, he hoped that inasmuch as in Clause 4 they went entirely outside the main structure of the measure they would allow compensation to be given on the liberal and equitable terms of the Act of 1904, and not under the wicked provisions for compensation which were applied to the licences to be reduced under the scheme of this Bill.

MR. YOUNGER (Ayr Burghs) said it appeared to him that the Committee were in a difficulty in dealing with this matter at present, because it was impossible to know how Clause 10 might be dealt with. The experience which the Committee had already had of the astounding changes of view on the part of the Government led him to hope that they might be induced to make Clause 10 a great deal more reasonable than it was at present. Although Clause 10 was unfair, and the compensation under it not at all equitable, they were bound at this stage to do what they could to prevent the licences being abolished on unfair terms. He cordially supported the Amendment.

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) was understood to say that it was impossible to discuss the question of compensation under this Amendment. The fact that it was not moved by the hon. Member for Kingston, in whose name it stood upon the Paper, rather indicated to him that it was regarded as consequential on an Amendment moved last night.

\*MR. CAVE (Surrey, Kingston) said he addressed the Committee on the  
*Mr. G. D. Faber.*

subject yesterday, and he did not wish to make two speeches on the same point.

SIR S. EVANS said the Amendment was to a great extent consequential. The meaning of the provision in the last four lines of the subsection was quite clear. It was also clear that if they substituted the Act of 1904 they would make absolute nonsense of the whole of that part of the clause. The proviso was intended as an indication to the justices that they might, subject to the financial provisions of this Act, make further reductions in excess of the statutory reduction. He gathered from the speech of the mover of the Amendment that he desired to discuss the question of compensation, but that could not be done at present.

LORD R. CECIL (Marylebone, E.) said it did not follow that this Amendment, whether right or wrong, was necessarily consequential on the Amendment moved by the hon. Member for Kingston last night. Two quite different objects were aimed at in the two Amendments. His hon. friend last night urged that the procedure available under the Act of 1904 should be adopted, namely, reference to Quarter Sessions. The object of the present Amendment was to substitute the scale of compensation available under the Act of 1904 in a particular set of cases for the scale proposed under this Bill.

SIR S. EVANS: That is why I said in answer to the hon. Member for the Ayr Burghs that it was impossible to discuss it now.

MR. YOUNGER: What I said was that it was difficult to discuss this without knowing how Clause 10 would be framed. I expressed the hope that the Government would change it.

LORD R. CECIL said they could only take the Bill as it stood at present. They must discuss this clause now, knowing quite well that they would not be able to go back on the matter at a later stage. The point now before the Committee was one which he should have thought worthy of a more complete answer from the Solicitor-General. He



hat the licence ought to be taken away with right of appeal to Quarter Sessions in the one case, and in the other the reference to Quarter Sessions? The difference was infinitesimal. The tribunal which had the approval and commendation of the right hon. Gentleman would be the final tribunal under the first subsection, just as it was under the Act of 1904.

MR. NIELD (Middlesex, Ealing) pointed out that there was a very great distinction between the two cases. In the one case the licence was referred for compensation, and Quarter Sessions had to deal with it. Under the clause the right of appeal to Quarter Sessions was restricted.

Question put, and negatived.

MR. A. J. BALFOUR said he should like some explanation of the words in the subsection "as they have for the time being with respect to other on-licences." He formally moved the omission of those words which he did not exactly understand.

Amendment proposed—

"In page 3, line 35, to leave out the words 'as they have for the time being with respect to other on-licences.'—(Mr. A. J. Balfour.)

Question proposed, "That the words proposed to be left out stand part of the clause."

SIR S. EVANS said the meaning of the words was this: Wherever, under this subsection, there had been a refusal by the justices either to renew or transfer an old licence, there would be full right of appeal, as there would be in the event of their refusing to renew or transfer any on-licence that might come before them. They had the right to refuse renewal or transfer subject to the fullest right of appeal. He did not say that the words were as clear as they might be, but if there was any doubt the matter should be set right, and he would communicate with his right hon. friend the Member for Dublin University in regard to it.

MR. F. E. SMITH said the Solicitor-General seemed to him to be entirely

mistaken as to the effect of these words. The hon. and learned Gentleman said that appeal would survive in both cases, but if they looked at the way in which the clause was drafted it was perfectly clear that the object was not as stated, because it said—

"The licensing justices shall have the same powers and discretion (subject to the like appeal) as to refusing the renewal or transfer of an old on-licence as they have for the time being with respect to other on-licences."

The object of the clause was that they "shall have the same powers," an expression difficult to construe and deal with, and giving powers and discretion with no right of appeal at all. The difficulty which he and many of his hon. friends felt had not been dealt with. The effect of this subsection was that the justices would have the same power in relation to pre-1904 licences as to post-1904 licences. He wanted to know what powers the justices had in relation to post-1904 licences which they did not possess in regard to pre-1904 licences. If, as to pre-1904 licences, under the terms of this Bill the justices had the same powers as for post-1904 licences, then for the life of him he could not understand why it was necessary in this sub-section to express it in this way—

"As they have for the time being with respect to other on-licences."

\*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said the justices possessed powers with regard to post-1904 licences which they did not possess with regard to pre-1904 licences—the power of refusing renewal without a formal reference to Quarter Sessions, though subject to appeal to Quarter Sessions; and these words "as they have for the time being with respect to other on-licences," were emphasised by the words which followed, "and the provisions of the Licensing Act, 1904"—and so forth.

MR. YOUNGER pointed out that this section gave the justices smaller powers with regard to the renewal of an old licence than they now possessed under the Act of 1904. The Solicitor-General had entirely missed the point; it was not a question of appeal at all.

Smeaton, Donald Mackenzie  
Snowden, P.  
Soares, Ernest J  
Spicer, Sir Albert  
Stanger, H. Y.  
Stanley, Albert (Staffs, N.W.)  
Steadman, W. C.  
Stewart, Halley (Greenock)  
Stewart Smith, D. (Kendal)  
Stuart, James (Sunderland)  
Summerbell, T.  
Sutherland, J. E.  
Taylor, Theodore C. (Radcliffe)  
Thomas, Sir A. (Glamorgan, E.)  
Thomas, David Alfred (Merthyr)  
Thompson, J. W. H. (Somerset, E)  
Thorne, G. R. (Wolverhampton)  
Thorne, William (West Ham)  
Tomkinson, James  
Torrance, Sir A. M.

Trevelyan, Charles Philips  
Ure, Alexander  
Verney, F. W.  
Walker, H. De R. (Leicester)  
Walters, John Tudor  
Walton, Joseph  
Ward, John (Stoke-upon-Trent)  
Wardle, George J.  
Waring, Walter  
Warner, Thomas Courtenay T.  
Wason, Rt Hn. E. (Clackmannan)  
Wason, John Cathcart (Orkney)  
Waterlow, D. S.  
Wedgwood, Josiah C.  
White, Sir George (Norfolk)  
White, J. D. (Dumbartonshire)  
White, Luke (York, E.R.)  
Whitehead, Rowland  
Whitley, John Henry (Halifax)  
Whittaker, Rt Hn. Sir Thomas P.

Wiles, Thomas  
Williams, J. (Glamorgan)  
Williams, Llewelyn (Cardiff)  
Williams, Osmond (Merioneth)  
Williamson, A.  
Wills, Arthur Walters  
Wilson, Hon. G. G. (Hull, W)  
Wilson, Henry J. (York, W.R.)  
Wilson, John (Durham, Mid)  
Wilson, J. H. (Middlesbrough)  
Wilson, J. W. (Worcestershire)  
Wilson, P. W. (St. Pancras)  
Wilson, W. T. (Westhoughton)  
Winfrey, R.  
Wood, T. M'Kinnon  
Yoxall, James Henry

TELLERS FOR THE NOES—Mr.  
Joseph Pease and Master of  
Elibank.

\*MR. H. H. MARKS (Kent, Thanet) said the Amendment which he rose to move was in a sense preliminary and if it should find favour with the Committee, would necessitate certain consequential Amendments. He hoped that that might not be regarded as a fatal objection to it, more especially in view of the number and character of the Amendments which the Government had themselves made in the measure, during the time it had been under discussion in Committee. The Amendment proposed to leave out subsection (4), which provides that no appeal shall lie from the refusal of the licensing justices to renew an on-licence where the licensing justices declare that the licence is to be extinguished in pursuance of a scheme for statutory reduction under this Act. The argument in favour of the proposal could perhaps be best and most briefly put by laying before the Committee a statement of what consequences would ensue if this subsection (4) were permitted to remain part of the Bill. The Committee would remember that at present the power to extinguish old on-licences rested with Quarter Sessions. Under this clause the power to extinguish was to be transferred to the licensing justices subject to an appeal to Quarter Sessions. If, however, the justices declared that the refusal of renewal was a part of their "scheme," then, under subsection (4), there was to be no appeal. Apparently under the Bill there was to be publication of the "statutory scheme." was to be prepared and submitted to the Licensing Commission. It might be entered at a later date. But, for all that

the Bill said, its particulars were to remain a secret between the licensing justices and the Commission. When it was being prepared, no opportunity was given either to the trade affected or to the community that was to be reformed to protest against its details or to propose modifications, and no notice was to be given of any proposed revision. The reduction of licences was to be distributed over fourteen years. It followed that either in April, 1909, certain licences would be condemned in anticipation, so many in each year and some perhaps thirteen years in advance, while the knowledge as to which these licences were would be imparted exclusively to the justices and certain officials and clerks, or else the "scheme" would give the justices power to select the licences at their discretion as the period went on. The power to revise involved to some extent the power to select for extinction as they went on other licences than those originally contemplated. But during the whole period of fourteen years only the justices and the Licensing Commission were to know what had been determined on. The justices might renew or transfer a licence and stand by while purchases of property were affected, knowing at the time that the licence involved was scheduled for extinction at a certain date. When that date arrived they were to declare the licence extinguished, and their mere statement that its extinction was decided upon under a secret scheme prepared in 1909 was to deprive the licence-holder of any right to appeal. It might be argued that the risk of an

when necessary being provisionally renewed or transferred for this purpose.'"—(*Mr. Cave.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said there was provision in the Act of 1904 dealing with a provisional renewal of a licence, but it had been omitted from this Bill because it was unnecessary under the procedure now adopted. In many cases where a licence was referred to the Court of Quarter Sessions there was an interval of time before Quarter Sessions could deal with it, and there was also an interval before the compensation was paid, and meanwhile the licensee was entitled to carry on business until he actually received the money. But the procedure under this Bill was quite different, and it was intended that in the case of statutory reduction and the other reduction that the matter should be dealt with at the annual licensing meeting of the justices, who would be the final tribunal. Therefore they had not to go to Quarter Sessions. The intention was that the licence should come to an end on the 5th April next succeeding the annual licensing meeting which was generally held in February and March. They had dealt with compensation having regard to these circumstances, and it would be seen that Clause 10, subsection 2 provided—

"And the number of unexpired years shall be calculated as from the 5th day of April after the date on which the renewal of the licence has been refused by the licensing justices."

That was to say that the amount of compensation which was to be received by the person who lost the licence was to be fixed with reference to the 5th April, the date at which it ceased. Therefore it was unnecessary to insert the provision which had been suggested. The hon. and learned Member opposite said that he was not wedded to this particular form of words, and his Amendment was to the effect that the house should be kept open meanwhile. That was a different matter from saying that something in the nature of interest should be paid or an advance made to the licensee. The point raised was whether the house should be closed or not on 5th April and the policy of the Government was that it should be closed on that date as licensed

premises. Therefore the Government were not able to accept the Amendment.

MR. F. E. SMITH thought the Solicitor-General would have been well advised to accept the principle of this Amendment even if he had varied the expression of it. What had his hon. and learned friend pointed out? He had with his great experience told the Committee that unforeseen accidents did take place, and where a delay had not been anticipated it had actually taken place and the licensee had not been compelled to close his house. Under the present Bill it was true one or two obvious grounds of delay which existed in 1904, had been removed, but no one would contend that under the Bill the Government were free from all chance of delay. The hon. and learned Gentleman had referred the Committee to a later section dealing with quite a different matter not in any way affording security for the payment of the money. Surely it would save considerable debate and make it clear that no hardship would accrue if words were inserted providing that in case compensation had not been paid the house should not be closed. The hon. and learned Gentleman said he would not do that, and if he refused the Amendment, unless he could show that under no conceivable circumstances could this arise, his action would naturally create a sense of suspicion and discontent, and it would be taken as a refusal to meet an obvious grievance. If there was any method of satisfying them that this contingency could not arise it would be different, but the hon. and learned Gentleman had not shown that this was the case.

\*MR. HERBERT SAMUEL said they agreed that there was a possibility of such a grievance arising, although he did not think it was probable. The settlement of the amount of compensation might take some little time, and meanwhile the man's house being closed, if he had no other resources, hardships might arise. The point was one which clearly ought to be met. But the way which had been suggested by the hon. and learned Member opposite was very undesirable, and he would state briefly why. Under the Act of 1904 power was

given to keep the house open until the compensation was paid, and this had given rise to real abuse. The house to be closed was frequently selected because it was not a very desirable one, and in the interval abuses often occurred and misconduct took place which could not be adequately penalised for the licence was already to be discontinued and compensation was assured. Therefore, the Government must adhere to the view which had been expressed by the Solicitor-General. It had been suggested that power might be given to the Licensing Commission to pay a sum on account pending a settlement of the whole amount. There was nothing to prevent the Licensing Commission doing that now, but in order to meet the views of hon. Gentlemen opposite the Government would undertake when they reached Clause 10 to meet the point.

\*MR. G. D. FABER said the publican was going to get beggarly compensation and nothing more under this Bill, and now the Government were actually proposing that this wretched man, the greater part of whose living was to be taken away from him, was to be paid a small sum on account. When the licensed property was taken away, if the Commissioners did not happen to have the money the unfortunate person who was turned out would not get paid his due. In the Act of 1904 there was a specific provision for continuing a licence refused on compensation grounds until the compensation money had been paid over. Surely that was a fair and proper way of dealing with the matter. He could understand that the Government might have a good reason for repealing that particular clause, but that was no earthly reason for not re-enacting it in some just and proper shape. It might not seem a large point in that House, but he was perfectly certain that when the outside public heard that when a licence was taken away, the person concerned was not to be paid compensation money there and then, but only a bit on account, the resentment against the whole measure would if possible be intensified.

EARL WINTERTON (Sussex, Hors-ham) said the Under-Secretary of State  
*Mr. Herbert Samuel*

for the Home Department had left the matter most vague, for he had not dealt with the point at all. He would venture to ask him whether he thought it quite dignified to insert an Amendment in a later clause providing that an unfortunate licence-holder dealing with the Government should be paid something on account for being dispossessed of his licence. Really the Government were adopting the methods of usurers. He quite agreed that cases of hardship were not very likely to arise; but they had to look at the unexpected. He did not want to go into a very big question, but everybody who knew what had happened in connection with land purchase knew that there had been considerable injustice to individuals. The grotesque proposal of the Government that a certain sum should be paid on account did not in any way meet the case, and there had been no reason shown why, if an Amendment was to be made, it should not be made here. He ventured to say that it would be much more possible to debate the Bill and evade those muddles and troubles which they had had hitherto if the Government would consider the suggestions made to them from that side of the House. The proposal of the Under-Secretary to amend Clause 10 would not meet a quarter of the difficulty. He hoped the Government would reconsider their decision. Although they agreed that cases of injustice were unlikely to arise, he hoped such cases would be guarded against; but the way this Amendment had been met did not encourage them to believe that the Government wished to treat the publican with ordinary justice.

MR. LYTTLETON (St. George's, Hanover Square) thought there was a real difficulty here. He appreciated what the Under-Secretary had said as to its not being desirable to keep the public-house open for a very long time, but it was equally an injustice and a hardship to take away a man's property and not pay him for it there and then. He did not think the anticipations of delay which had been made on that side of the House were exaggerated. There must be cases of appeal which would often take a prolonged time, and



surely it was a plain injustice that during an interval, which might be twelve or eighteen months, a small sum on account should be paid. Directly the compensation money was assessed by any tribunal, the publican was entitled to it. Until it was assessed, under the Government plan, the publican was to lose his home and get nothing. He should himself be prepared to accept a compromise upon the footing that until the compensation money was assessed the publican should remain in possession of the house, and that it should remain open. As soon as it was assessed it should be at once paid to him in full and the public-house be killed. There were two distinct periods. The first, which might be very considerable, was that during which the amount of the compensation money was being determined, and there might be a subsequent interval before it was paid. But until it was determined surely a man ought to be left in possession of his house. When it was determined it should be at once paid.

\*MR. HERBERT SAMUEL said the suggestion differed infinitesimally from the Amendment which the Government could not accept for good reasons given. There might be two periods, one during which the amount of the assessment was being determined, and the second, subsequent to assessment but prior to the payment. That second period would be exceedingly short. As soon as the assessment was made there was no reason why the money should not be paid. The only point of substance was with regard to the period between the time the publican was told his licence was going to be taken away and his house closed, and the time when he received the money. The right hon. Gentleman's proposal was the same as that of the Amendment, that during that period the house was to remain open under sentence of death with practically no power of control. He was informed in the Home Office that the experience of the Act of 1904 was that abuses might and did occur in these very instances, and it was a grave error on the part of the Government to perpetuate a system which led to these abuses. He said

why the suggestion of the Government should not be accepted.

MR. WALTER LONG thought they ought to press the Government. In an earlier stage of this and the previous debate certain figures were quoted. The Under-Secretary had again exercised the privilege of which Ministers very rarely, in his experience, availed themselves. He had told them that under the administration of the Act of 1904, he had been assured that cases of misconduct occurred which caused the gravest inconvenience, and naturally ought to be provided against if possible. But he had not fortified himself, as was usually the case when these assertions were made, by one single case which he could quote in support of his contention. He was not suggesting that the hon. Gentleman had made a false statement, but it was neither usual nor was it just to make allegations against traders connected with a particular industry in general terms unless they were prepared to fortify the allegation by producing particular instances, and especially to the jury whom they were seeking to convert to their view, that there was in the archives of the Home Office abundant evidence to justify a step of this kind. If they knew neither the number nor the character of them it was impossible to say whether this grave act of injustice was justified. The final answer of the Government was that the operations of this Bill, which he believed to be unjust and unnecessary, were to be brought into force against a publican who had committed no misconduct, who might have no other means of living than that derived from his occupation, and that he was not to be paid anything but some modicum on account, because in certain cases there had been instances of misconduct after it had been intimated that the licence would be withdrawn. Further, the Under-Secretary told them that these cases had occurred under the Act of 1904, and he quoted them as justification of his present conduct. Surely his own contention was that, whereas

compensation money should be withheld after the house was closed? The Under-Secretary said there was no means of dealing with the publican in case of misconduct; but he could be prosecuted for misconduct. Was it likely, however, that a man was going to run this risk, the loss of his character, and possibly punishment, during the interval, which the Under-Secretary said might be only a few months? That was no argument. If this was not injustice, there was a new meaning altogether to be given to the word. They were taking a man's property against his will, not because he had been guilty of misconduct, but in the general interests of the community, and they were paying him a price which everybody connected with the trade, and a vast number of those who were not connected with it, believed to be altogether unfair. He had never heard coming from a Government a proposition with less support behind it, nor allegations made with less justification against men connected with a trade. Unless some better reason could be given for this additional injustice in the policy of the Government, he hoped his hon. friend would go to a division, and he should most certainly support him, because he believed without an Amendment of this kind a grave and unprovoked and unnecessary act of injustice would be done.

SIR S. EVANS said the right hon. Gentleman had repeated what had been said over and over again on very nearly every Amendment, that such compensation was grossly unfair. That was not the point they were discussing. He desired to enter his protest against the canon which the right hon. Gentleman laid down as to discussions in that House. Apparently no Minister was entitled to express an opinion gathered from experience unless he gave case A., case B., and case C.

MR. WALTER LONG: The hon. Gentleman did not express an opinion. He said he was informed that cases had occurred.

SIR S. EVANS said a Minister gathered his knowledge both from personal experience and from immediate contact

*Mr. Walter Long.*

with those whose duty it was to advise him, and he supposed it was in that sense that his hon. friend said he was informed. But he would tell him from his experience, without giving the name of the case, because it was unnecessary, and, indeed, it was common knowledge to everybody who knew anything about the business, that immediately a house had its licence threatened or taken away the conduct of the house became less reputable. He had known cases where licence-holders said: "My licence is going to be taken away," and the result was that people who used to go to a house did not continue to go. That was the difficulty in the way of the Amendment, and he told the hon. and learned Gentleman that the Government could not accept it on that ground *Prima facie*, when a licence was taken away, it was done in the public interest. If it was to be taken away notice was given as early as the month of February

MR. CAVE said the decision might not be come to in February.

SIR S. EVANS: In February or March. The licensing body would be an important body with important duties to discharge, and they might be depended upon to discharge those duties in the best possible way. What did the hon. Member mean by saying that they would pay over the money when it suited them?

\*MR. G. D. FABER said the Under-Secretary had proposed that a bill should be paid on account.

SIR S. EVANS said that was done to meet the objections of hon. Gentlemen opposite. He asked the Committee to consider what would happen. They were to compensate a man who was earning his living. Hon. Member had been speaking in favour of licence-holders rather than of their friends the brewers. [AN HON. MEMBER: There are some of them on your side of the House.] However much the justice might be inclined to do their duty there might be a little delay in the payment of compensation. What was the objection to paying a little of the money on account? If a licence-holder

was paid a sum on account it did not matter for the first fortnight or three weeks, or even the first two or three months, whether he was paid in full. That concession was quite fairly made immediately they saw what the object of the hon. and learned Gentleman was. The Government were strongly against the particular Amendment now before the Committee. Immediately a decision had been come to under Clause 1 or Clause 3 to take the licence away, that licence would cease in respect of the premises from 5th April next succeeding. There would be no injustice such as had been suggested. Everybody would do his duty and the money would be forthcoming. He would give an illustration. Every lawyer in the House knew that when it was proposed to take a piece of land for the benefit of the State they could enter at once into the possession of the land after it had been valued by a valuer appointed by the Board of Trade. What happened? The money was paid into Court, and the matter of assessing the value came before a Court or arbitrator. [An Hon MEMBER: He gets interest.] No doubt the individual whose land was taken got interest on the money, but that was a totally different matter. [An Hon. MEMBER: He gets the full market value.] So far as inconvenience or injustice could be avoided by hurrying up the Commission or using the power now possessed of paying something on account the Government were perfectly prepared to meet the desire of the Opposition.

MR. A. J. BALFOUR: I think the hon. and learned Gentleman must be aware that upon no point has he given satisfaction, even to his own friends, with regard to this matter. The first point is the matter of justice to the individual whom you admittedly are depriving of his living. That is granted, and is not denied. You do not deny that at a given date you absolutely deprive him of his living, and you say he must have compensation for that. Does not common justice suggest that a provision should be put in the Bill which would prevent there being anything between the deprivation of a man of his living and his getting the compensation—good or bad—that you mean to

give him? And let me tell the Government and those who support this Bill that the Bill does not on the face of it carry very much popularity; it does not suggest generous and fair treatment so obviously that they can afford to burden it additionally with what every man in the country plainly and manifestly thinks a hardship on deserving individuals. I am not sure that the Government do not admit it, and that the Under-Secretary did not think something would be done. Is that going to be put in the Bill?

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): My hon. friend said that an Amendment would be inserted.

MR. A. J. BALFOUR: I do not ask the Government to draft an Amendment on the spur of the moment, because I notice how unsuccessful they have been on other parts of the Bill. But I do ask for, not the exact words, but the exact provision which they mean to introduce, and the part of the Bill in which they mean to introduce it, and whether they mean to make it applicable not only to the class of licences immediately affected by this Amendment but to all licences affected under the Bill. The second point is a very important one. The hon. and learned Gentleman who has just sat down said they must insist if a licence is condemned in February or March on the house being closed on 5th April, because experience shows that immediately you have told the publican that he is to lose his licence the house becomes an ill-conducted house.

SIR S. EVANS: The right hon. Gentleman may paraphrase what I said, but I am not bound to accept it as an accurate paraphrase. I did not say anything of the sort. I said he becomes more reckless in the management of his trade.

MR. A. J. BALFOUR: I should think what I said was more in the nature of a translation. But what a light does that cast upon the operations of this Bill. Every licence-holder is to be

MR. HERBERT SAMUEL said the section dealt not with the granting of a licence but the renewal of a licence.

\*MR. JAMES HOPE said that the words of the section as they stood would, if the justices thought they had the power, unless modified, enable them to attach a monopoly value during the reduction period to the renewal of an on-licence. The Solicitor-General was redrafting the clause he understood, and he would ask him to make quite clear what the power was.

MR. A. J. BALFOUR said he did not thoroughly understand what the powers given were. They wanted to know what was meant by the words "new licences under the Act of 1904." The licence granted since 1904 came to an end, was not renewed, and no compensation was to be made. The contract between the justices on the one hand and the post-1904 licensee on the other was finished and complete, and he took it that the new contract was for not renewing the old licence at all. He did not think it ought to be called a renewal; it was a new thing altogether. If he was right in that, then the powers the justices had for the time being with respect to other on-licences, namely, the post-1904 licences, were the same as they had with regard to the licences coming to an end. Suppose the 1904 licence had come to an end, then the new licence thereupon created might carry with it all sorts of new and extremely onerous conditions which they could not put upon the old licence; and what they wanted to know was whether the Government were not merely restoring the pre-1904 powers of the magistrates, plus a certain right to compensation—whether they were giving the justices not merely their old powers but a new kind of power; in other words, that they were granting power to deal with the post-1904 licences. That was the exact point he desired to have cleared up.

SIR S. EVANS pointed out that the words in line 34 made it clear that the provision referred to pre-1904 licences. It might be a refusal to renew or transfer, and this sub-clause did not deal with any post-1904 licences at all.

The operative part of this section was line 34, which enacted what the powers of the justices would be with reference to pre-1904 licences. With regard to post-1904 licences, if the licence was granted for a term under the Act of 1904 it came to an end, and there was a provision in that Act which provided that any application for a re-grant of a licence for a term should be treated as an application for a new licence. The operation of this sub-clause was not upon the pre-1904 licences at all.

MR. A. J. BALFOUR: Then will you not content yourself with saying that the old powers shall be given to the magistrates?

SIR S. EVANS: Well, we will re-draft it in that sense.

Amendment, by leave, withdrawn.

\*MR. CAVE said the Amendment he had on the Paper dealt with a matter which might seem a small one, but it was very important to the parties interested. Under the Act of 1904 when a licence was refused, on the terms of compensation being paid, provision was made for continuing the licence until the compensation was actually paid. It was thought unfair that the publican should lose his licence until he had actually got the money, and provision was made in Clause 6 of the Act of 1904 for continuing the licence refused until actual payment of the compensation had taken place. That seemed perfectly fair, and the object of his Amendment was to make the same provision in the clause. A licensee might have his licence refused in April in one year and might not get his compensation until three, six or even twelve months later, and meantime he might have to go without means of livelihood and without his compensation. He had known a case where the firm and a portionment of the compensation had taken twelve months, and he hoped that some provision would be made for meeting this case.

Amendment proposed—

"In page 4, line 3, at the end to insert the words 'and the refusal shall not take effect until compensation has been paid, the licence



and have his whole capital represented partly by bricks and mortar and partly by the licence. If his licence were taken away, and the compensation due to him was not paid by the date on which his house was closed, his premises would stand idle, because he would not have sufficient capital to adapt them to any other business. Surely this would be grossly unjust. He thought the arguments of the Solicitor-General were extraordinarily contradictory. When that hon. and learned Gentleman first spoke against the Amendment he said it was exceedingly improbable that such a case would ever arise, and he concluded his speech by picturing a terrible state of things if the Amendment were carried—that the public-house would be kept open after the proper period, that there would be disorder and reckless dealing, and that the locality would be reduced to chaos.

SIR S. EVANS said he did not use these words.

MR. COURTHOPE begged the hon. and learned Gentleman's pardon. He thought the word "chaos" had been used by him. At any rate the hon. and learned Gentleman drew a rather vivid picture of what would happen if the Amendment were carried. If the hon. and learned Gentleman were right in regard to the little probability of that case ever arising, why did he not accept the Amendment? Therefore that objection fell to the ground. If the hon. and learned Gentleman was right as to the latter state of things arising, surely the criminal law was sufficient to cope with it. From the experience he had had on the licensing bench he had not found that disorder followed when notice was given that the licence would be terminated. No case of the kind had been given in the course of the debate. He hoped that the Prime Minister, who had now arrived, would take this matter into his own hands and accept the Amendment which his colleagues had refused.

\*MR. CAVE said that what he wanted to protest against was not only the delay which might occur while the Licensing Commission was finding the money, but the still longer delay while the compensation [was being assessed and the

shares ascertained. It had to be assessed by the Commissioners of the Inland Revenue, who would have to arrive at the hypothetical value of the house if not licensed. That would take time. Then they would have to ascertain under Clause 10 what was proper to be paid to the licence-holder for loss of business. That would take time. Again, the Inland Revenue Commissioners having fixed that, the question would arise as to the division of the amount of the compensation amongst the persons interested. That would have to go to another tribunal—the licensing justices. Further, the clause provided that if any difficulty arose there, the matter might be referred to the County Court. That meant still further delay. The rule, therefore, would be that it would take months after the 5th April before the amount of compensation payable to each person interested could be assessed. The Solicitor-General had said that as soon as the licence was condemned there would be misconduct on the part of the licensee. He had never heard of such a case, and if it occurred it could be very easily met by introducing in the Amendment some provision that if there was misconduct the licensing justices might intervene and close the house.

MR. WATT (Glasgow, College) thought that the principle underlying the Amendment was a very reasonable one. It would be very hard indeed, when a licensee was deprived of his licence, if he were not to get at once the compensation for being deprived of his income from the licensed premises, nor the use of the premises during the time which would necessarily elapse before he got the money. It had been said that if the Amendment were adopted, and the house were kept open, abuses would necessarily follow in the house. In his opinion, if abuses occurred they would not be attributable to the licensee, but to the purchaser of the house who failed to pay the purchase money. The licensee was entitled to get his money at once or interest on the money.

\*MR. GRETTON (Rutland) cordially supported the view of the hon. Member for the College Division of Glasgow.

He would also point out that a licensee seldom had any capital invested elsewhere than in the licensed house which he would be able to employ in adapting his premises to another kind of business. He condemned hon. Members for laughing at the proposition that the licensee should be paid at once; but receive only an advance of a small portion of the compensation to be granted to him. With no income from the sums invested in the premises from which the licence was withdrawn and in which his capital was locked up, he would have to live on the portion of his capital advanced, and so reduce the capital he might secure through compensation. Hon. Gentlemen who treated this question in that way

had very small consideration for financial matters.

MR. A. J. BALFOUR said he hoped the Prime Minister would inform the Committee in general terms the way in which the Government intended to meet this difficulty.

MR. ASQUITH said that he would state the position the Government intended to take when Clause 10 came up for consideration.

Question put.

The Committee divided :—Ayes, 117. Noes, 283. (Division List No. 274.)

### AYES.

Acland-Hood, Rt. Hon. Sir Alex. F.  
Anson, Sir William Reynell  
Anstruther-Gray, Major  
Arkwright, John Stanhope  
Ashley, W. W.  
Aubrey-Fletcher, Rt. Hon. Sir H.  
Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt. Hon. A. J. (City Lond.)  
Banbury, Sir Frederick George  
Banner, John S. Harwood-  
Baring, Capt. Hon. G. (Winchester)  
Barnard, E. B.  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Brotherton, Edward Allen  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Carson, Rt. Hon. Sir Edw. H.  
Cecil, Lord R. (Marylebone, E.)  
Chamberlain, Rt. Hon. J. A. (Worc.)  
Clark, George Smith  
Clive, Percy Archer  
Coates, Major E. F. (Lewisham)  
Collings, Rt. Hon. J. (Birmingham)  
Courthope, G. Loyd  
Craig, Charles Curtis (Antrim, S.)  
Craig, Captain James (Down, E.)  
Craik, Sir Henry  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fletcher, J. S.  
Forster, William Henry

Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Goulding, Edward Alfred  
Gretton, John  
Guinness, W. E. (Bury S. Edm.)  
Haddock, George B.  
Hamilton, Marquess of  
Hardy, Laurence (Kent, Ashf'rd)  
Hay, Hon. Claude George  
Heaton, John Henniker  
Helmsley, Viscount  
Hill, Sir Clement  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Hunt, Rowland  
Kennaway, Rt. Hon. Sir John H.  
Kerry, Earl of  
Keswick, William  
Kimber, Sir Henry  
King, Sir Henry Seymour (Hull)  
Lane-Fox, G. R.  
Lee, Arthur H. (Hants, Fareham)  
Lockwood, Rt. Hon. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Long, Rt. Hon. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
Lyttelton, Rt. Hon. Alfred  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
M'Calmont, Colonel James  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Meysey-Thompson, E. C.  
Mildmay, Francis Bingham  
Moore, William  
Morpeth, Viscount  
Morrison-Bell, Captain  
Nicholson, Wm. G. (Petersfield)  
Oddy, John James

Parker, Sir Gilbert (Gravesend)  
Percy, Earl  
Powell, Sir Francis Sharp  
Randles, Sir John Scurrah  
Ratcliff, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renwick, George  
Roberts, S. (Sheffield, Eccleall)  
Ronaldshay, Earl of  
Ropner, Colonel Sir Robert  
Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell  
Sassoon, Sir Edward Albert  
Sheffield, Sir Berkeley George D.  
Smith, F. E. (Liverpool, Walton)  
Stanier, Beville  
Starkey, John R.  
Staveley-Hill, Henry (Staff'ch.)  
Stone, Sir Benjamin  
Strauss, E. A. (Abingdon)  
Talbot, Lord E. (Chichester)  
Thomson, W. Mitchell. (Lanark)  
Thornton, Percy M.  
Tuke, Sir John Batty  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Warde, Col. C. E. (Kent, Mid)  
Watt, Henry A.  
Whitbread, Howard  
Willoughby de Eresby, Lord  
Winterton, Earl  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Young, Samuel  
Younger, George

TELLERS FOR THE AYES—Mr. Cave, and Mr. George Faber.

### NOES.

Abraham, William (Cork, N. E.)  
Abraham, William (Rhonda)  
Agar-Robartes, Hon. T. C. R.

Agnaw, George William  
Alden, Percy  
Allen, A. Acland (Christchurch)

Allen, Charles P. (Stroud)  
Armitage, R.  
Armstrong, W. C. Heaton

Mr. Grelton.

Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barran, Rowland Hirst  
 Beale, W. P.  
 Beauchamp, E.  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (Tw'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romford)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Causton, Rt. Hon. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William  
 Crossley, William J.  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Fenwick, Charles  
 Frens, T. R.

Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Grey, Rt. Hon. Sir Edward  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N.E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Maclean, Donald  
 Macpherson, J. T.  
 McCallum, John M.  
 McCrae, Sir George

McKenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallett, Charles E.  
 Marks, G. Croydon (Launceston)  
 Massie, J.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hon. A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. William Cecil  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, W. E. B. (Bradford, E.)  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Schwann, C. Duncan (Hyde)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry

Smeaton, Donald Mackenzie  
Snowden, P.

Soares, Ernest J

Spicer, Sir Albert

Stanger, H. Y.

Stanley, Albert (Staffs, N.W.)

Steadman, W. C.

Stewart, Halley (Greenock)

Stewart Smith, D. (Kendal)

Stuart, James (Sunderland)

Summerbell, T.

Sutherland, J. E.

Taylor, Theodore C. (Radcliffe)

Thomas, Sir A. (Glamorgan, E.)

Thomas, David Alfred (Merthyr)

Thompson, J. W. H. (Somerset, E)

Thorne, G. R. (Wolverhampton)

Thorne, William (West Ham)

Tomkinson, James

Torrance, Sir A. M.

Trevelyan, Charles Philips

Ure, Alexander

Verney, F. W.

Walker, H. De R. (Leicester)

Walters, John Tudor

Walton, Joseph

Ward, John (Stoke-upon-Trent)

Wardle, George J.

Waring, Walter

Warner, Thomas Courtenay T.

Wason, Rt Hn. E. (Clackmannan)

Wason, John Cathcart (Orkney)

Waterlow, D. S.

Wedgwood, Josiah C.

White, Sir George (Norfolk)

White, J. D. (Dumbartonshire)

White, Luke (York, E.R.)

Whitehead, Rowland

Whitley, John Henry (Halifax)

Whittaker, Rt Hn. Sir Thomas P.

Wiles, Thomas

Williams, J. (Glamorgan)

Williams, Llewelyn (Carmarthen)

Williams, Osmond (Merioneth)

Williamson, A.

Wills, Arthur Walters

Wilson, Hon. G. G. (Hull, W)

Wilson, Henry J. (York, W.R)

Wilson, John (Durham, Mal)

Wilson, J. H. (Middlesbrough)

Wilson, J. W. (Worcestershire)

Wilson, P. W. (St. Pancras, S)

Wilson, W. T. (Westhoughton)

Winfrey, R.

Wood, T. M'Kinnon

Yoxall, James Henry

TELLERS FOR THE NOES—Mr  
Joseph Pease and Master of  
Elibank.

\*MR. H. H. MARKS (Kent, Thanet) said the Amendment which he rose to move was in a sense preliminary and if it should find favour with the Committee, would necessitate certain consequential Amendments. He hoped that that might not be regarded as a fatal objection to it, more especially in view of the number and character of the Amendments which the Government had themselves made in the measure, during the time it had been under discussion in Committee. The Amendment proposed to leave out subsection (4), which provides that no appeal shall lie from the refusal of the licensing justices to renew an on-licence where the licensing justices declare that the licence is to be extinguished in pursuance of a scheme for statutory reduction under this Act. The argument in favour of the proposal could perhaps be best and most briefly put by laying before the Committee a statement of what consequences would ensue if this subsection (4) were permitted to remain part of the Bill. The Committee would remember that at present the power to extinguish old on-licences rested with Quarter Sessions. Under this clause the power to extinguish was to be transferred to the licensing justices subject to an appeal to Quarter Sessions. If, however, the justices declared that the refusal of renewal was a part of their "scheme," then, under subsection (4), there was to be no appeal. Apparently under the Bill there was to be no publication of the "statutory scheme." It was to be prepared and submitted to the Licensing Commission. It might be altered at a later date. But, for all that

the Bill said, its particulars were to remain a secret between the licensing justices and the Commission. When it was being prepared, no opportunity was given either to the trade affected or to the community that was to be reformed to protest against its details or to propose modifications, and no notice was to be given of any proposed revision. The reduction of licences was to be distributed over fourteen years. It followed that either in April, 1909, certain licences would be condemned in anticipation, so many in each year and some perhaps thirteen years in advance, while the knowledge as to which these licences were would be imparted exclusively to the justices and certain officials and clerks, or else the "scheme" would give the justices power to select the licences at their discretion as the period went on. The power to revise involved to some extent the power to select for extinction as they went on other licences than those originally contemplated. But during the whole period of fourteen years only the justices and the Licensing Commission were to know what had been determined on. The justices might renew or transfer a licence and stand by while purchasers of property were affected, knowing all the time that the licence involved was scheduled for extinction at a certain date. When that date arrived they were to declare the licence extinguished, and their mere statement that its extinction was decided upon under a secret scheme prepared in 1909 was to deprive the licence-holder of any right to appeal. It might be argued that the risk of as



innocent purchaser being injured by taking a transfer of a licence which, to the knowledge of certain people, had only a fixed time to run, would be averted by publication of the "scheme." But the power to revise "schemes" and the obligation to revise them at the order of the Licensing Commission rendered publication a wholly ineffective protection. They published one "scheme," and carried out another. At any time during the reduction period any licence-holder was liable to be told: "Your licence is extinguished and you cannot appeal because our decision is part of a 'scheme.'" It does not matter to you if it was a "scheme" made in 1909 or a revision of that scheme made yesterday. Other people whose licences are refused can appeal, but not you, for you have been selected as a person who is not to have a right of appeal." He submitted that that constituted a great hardship and a gross injustice. For these reasons, he begged to move.

#### Amendment proposed—

"In page 4, line 7, to leave out subsection (4)."—(*Mr. H. H. Marks.*)

Question proposed, "That the words proposed to be left out, to the word 'an,' in line 8, stand part of the clause."

MR. ASQUITH said that so far as he understood the remarks of the hon. Gentleman his objection to this subsection was to the decision of this particular point being left in the discretion of the licensing justices. He pointed out that the scheme and revised scheme had nothing to do with what he might call the process of selecting the victim; it merely prescribed what should be the reduction in a particular area. When the statutory reduction had been applied by a scheme approved by the Licensing Commission to a particular district all that followed was to select, supposing it was shown that there must be some reduction, which of the existing licences should succumb. If the suggestion of the hon. Gentleman that that process might take place in a hole and corner fashion were a lively contingency it ought to be guarded against, but an Amendment to Clause 7 standing in the name of the Solicitor-General would

provide against that possibility. That being so, surely of all questions that could be suggested as arising out of the provisions of an Act of Parliament of this kind this question of selecting the particular houses to be suppressed was one most properly left to the uncontrolled discretion of the justices of the district. What could be more irrational than to call upon Quarter Sessions, remote from the area of the house, to discuss whether the Black Bull or the Blue Lion should disappear? It was purely administrative action, and should be carried out by the licensing justices. Under these circumstances he could not accept the Amendment.

SIR E. CARSON thought that everybody would admit that the Bill as it stood was a most extraordinary one. And so far as this subsection was concerned, it showed an absolute disregard for anybody who had any property whatever in these licences. Anyone who was prepared to take away the property of others in the most cruel manner possible would naturally support this Bill. This particular procedure was a most extraordinary one. The justices were to settle the number of licences to be extinguished. That was a matter in which he admitted the licence-holder had only an indirect interest. The Licensing Committee would say how many were to go, and the justices would say how many were to go one year and how many another. This they were bound to do under Clause 7. If the justices refused to carry out the provisions of the Bill, the Licensing Committee had power to go down and see the justices. They would then meet together and take a survey of the houses in the district and select those to be extinguished. This would be done behind the back of everybody, in the magistrates' room. Was that fair? The man whose house was to be extinguished got no hearing at all, neither under the Bill nor even under the Amendment of the hon. and learned Gentleman. What the licensing justices would do would be to go into a room, look at a map, and without one word either to or from the man who was going to be dispossessed, say to the licensee when he came up for a renewal: "No." This

was a fantastic operation. The clause destroyed not only the appeal but the preliminary hearing—a proposition foreign to our existing laws and unknown to our jurisprudence. He hoped before the Bill left the House that some effort would be made to give the 30,000 persons concerned a hearing, and that they would not be left to be turned into the street without a sixpence. All he could say was that such a proposal as that in the Bill was a disgrace to civilisation.

MR. YOUNGER thought the Prime Minister had totally misapprehended the point which had been taken by hon. Members on that side of the House. He rather thought that the Amendment to Clause 7, to which the right hon. Gentleman referred was not there for the purpose of meeting the point they now made, but for the purpose of machinery for the extinction of the licences, which those who drafted this Bill had forgotten to provide. The Prime Minister had taken up the wrong point, and had not met the objection raised by the Opposition, namely, that he was taking away licences without allowing the smallest opportunity to the persons concerned to appear, and there was nothing in the Amendment of the Solicitor-General which appeared on the Paper to provide such an opportunity.

MR. TOMKINSON (Cheshire, Crewe) said the speech of the right hon. Gentleman the Member for Dublin University seemed to him to be another instance of what was apparently now the very common practice of assuming from any proposed legislation that there would be the most unlikely, the most far-fetched, and the most injurious results. They spoke of them as very likely, if not certain, to accrue. The right hon. Gentleman took the instance of the reduction of licences in a country district, and said the licensing justices would have before them a number of licences together with the statutory reduction which they were bound to make, and that then, without one word of warning or notice, in the most hard-hearted manner they would proceed to extinguish and take away the property

of the licensees. He ventured to say, after some experience of local benches of magistrates, that, of course, no such action would be taken by them. The return would be made when this Bill became law and not before. They would have before them the population, its density or otherwise, of the area, they would have the number of licences within their licensing district, and they would have before them the statutory reduction which they would be bound to make under the Bill. He would undertake to say that the justices in every case, if a reduction had to be made, would not only deal with the matter as tenderly as possible, but the licensees whose licences were to be taken away would have as long a notice as possible and as much consideration as possible to prevent hardship.

MR. LYTTTELTON said after what the Prime Minister had stated, if he correctly understood him, the speech of the hon. Member opposite was irrelevant. He understood the Prime Minister to concede the right of the licensee to a hearing. If the licensee had a right to publicity—and publicity was equitable—then of course, he must be entitled to it under the bare words of the section. He saw no such words at all in the Amendment of the Attorney-General. He had conversed with a magistrate of experience the other day, an excellent man, and not a Party man at all, a man who had read this Bill, and who believed that he would have to administer it. Hon. Gentlemen opposite and the Government largely depended upon the goodwill, discretion, and zeal of the magistrates. But his friend told him that the duty cast upon the magistrates of selecting—perhaps from two or three between whom there was no distinction—whose licence was to be taken away, was so odious to him that he would absolutely and positively refuse to discharge it. He did not think a more powerful affirmation of the truth of what his right hon. friend had said could be made. To take away property in the way proposed was contrary to every principle of fairness. It was contrary to English law that a person should not be entitled to be heard before sentence was passed. He asked the

Solicitor-General to show the House where the publicity was to come in, and where a hearing was to be given.

SIR S. EVANS said the licensing justices would not be able to take away licences except at the annual licensing session upon application for a renewal. All persons who applied for a renewal must be fully heard in accordance with the provisions of the Acts of 1882 and 1904. They could always appear in open Court and would have the fullest opportunity of laying the facts before the justices.

SIR E. CARSON pointed out that by the section as it stood, before the application for renewal came up at all to be heard the magistrates would have to decide what houses were to be taken. Would the Solicitor-General make clear in the Bill that there was to be no decision at all until the justices had heard all the various persons concerned? He did not see under the scheme of the Bill how anything was to occur except that which he had stated. It was not a question of one licence here or one licence there; it was a question of the whole scheme; and, therefore, if the matter was to be settled on the basis of the scheme, unless they allowed the licence holders to be present when the scheme was being made, and allowed them to be heard, there was no possible way of getting out of it.

SIR S. EVANS replied that when the scheme was prepared it would only deal with the number of licences and not with the names of the licensees.

SIR E. CARSON read the section—

"It shall be the duty of the licensing justices of every licensing district to give effect to this scheme for statutory reduction as approved by the Licensing Commission."

That meant that the number was to be approved by the Commission. How were they to do it? "By selecting the licences to be extinguished for the purposes of the scheme and extinguishing the licences accordingly."

MR. ASQUITH said the right hon. Gentleman had really answered himself. The whole of this discussion was really upon Clause 7, and had no relevance to

the subject under consideration. The right hon. Gentleman had begun by saying that the publican or licensee ought to be present at the framing of the scheme, but apparently he did not realise what the scheme was.

SIR E. CARSON: Yes.

MR. ASQUITH: Then the right hon. Gentleman's argument could not be seriously viewed. The scheme settled the number, and it was not until then that any particular licensee could be heard. The Solicitor-General had for long had an Amendment on the Paper to omit the words "extinguish the licences accordingly."

SIR E. CARSON said the Solicitor-General did not propose to omit the words "by selecting the licences to be extinguished for the purposes of the scheme."

MR. ASQUITH said the right hon. Gentleman did not do himself justice.

SIR E. CARSON: Nor do you me.

MR. ASQUITH said that what he had stated was this, that the Solicitor-General proposed to leave out the words "extinguish the licences accordingly," the express purpose being to make the process of extinction incomplete until the licence had been brought on for renewal, and the licensee had an opportunity of appearing before the Court.

MR. NUSSEY (Pontefract) said the procedure would be similar to that under the Act of 1904. The magistrates appointed a committee to investigate, and the houses in their district were ear-marked. The owners of those houses had a chance of being heard and evidence was taken on oath. That was the Amendment which the Solicitor-General had put on the Paper. When the houses had been ear-marked, then there would be opportunity to be heard in Court. That had not been so until the Amendment was put down the day before yesterday, but now it would be so.

SIR E. CARSON: As to the argument of the hon. Member, which had been

cheered by the Solicitor-General, he made this offer to him, that he would allow them to retain the procedure under the Act of 1904.

MR. SAMUEL ROBERTS said the subsection applied to on-licences, and his point was that it ought to apply to all old on-licences. The Prime Minister, from his speech, did not intend that the post-1904 licences were to be included in

the scheme of reduction, and therefore, *a fortiori*, there would be no appeal.

MR. ASQUITH said as to the post-1904 licences, he could assure the hon. Gentleman he remembered what he had said, but the proper time to deal with them would be on Clause 24.

Question put.

The Committee divided:—Ayes, 317. Noes, 128. (Division List No. 275.)

### AYES.

Abraham, William (Rhondda)  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Amritage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Astbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Bellairs, Carlyon  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romf'd)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Causton, Rt. Hon. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.

Sir E. Carson

Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William  
 Crossfield, A. H.  
 Crossley, William J.  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Fenwick, Charles  
 Ferens, T. R.  
 Findlay, Alexander  
 Flavin, Michael Joseph  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Grey, Rt. Hon. Sir Edward  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldan, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)

Harmsworth, Cecil B. (Womr.)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivo (Mon. S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Frank  
 Leese, Sir Joseph F. (Abercrombie)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harlow)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Lynch, H. B.



Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Massie, J.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn A C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)

Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradf'rd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N.W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)

Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E.R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W.R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

NOES.

Acland-Hood, Rt. Hn Sir Alex. F  
 Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Baring, Capt. Hn. G (Winchester)  
 Barnard, E. B.  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive

Brotherton, Edward Allen  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Cave, George  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt Hn J. A. (Worc)  
 Chaplin, Rt. Hon. Henry  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingh'm)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S)  
 Craig, Captain James (Down, E.)

Craik, Sir Henry  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hn. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of

Hardy, Laurence (Kent, Ashford)  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt. Hon. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hon. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles

M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Ropner, Colonel Sir Robert  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sassoon, Sir Edward Albert  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)

Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff' sh.)  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell- (Lanark)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Whitbread, Howard  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Mr.  
 H. H. Marks and Mr. George  
 Faber.

And, it being after half-past Seven of the  
 Clock, the CHAIRMAN proceeded, in pur-  
 suance of the Order of the House of the  
 17th July, to put forthwith the Questions  
 necessary to dispose of the Business to

be concluded at half-past Seven of the  
 Clock this day.

Question put, "That the Clause stand  
 part of the Bill."

The Committee divided :—Ayes, 318; Noes, 128. (Division List No. 276.)

#### AYES.

Abraham, William (Rhondla)  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Astbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romford)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.

Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Causton, Rt. Hon. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinstead)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William

Crossley, William J.  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dickinson, W. H. (St. Pancras, N.)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Fenwick, Charles  
 Forens, T. R.  
 Findlay, Alexander  
 Flavin, Michael Joseph  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.

Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Morthyr Tydvil)  
 Harmsworth, Cecil B. (Worc'r)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)

Macdonald, J. M. (Falkirk Bg'hs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Massie, J.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hon. A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradford)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter

Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hon. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stokeupon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hon. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)

Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)

Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master d  
 Elibank.

## NOES.

Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn. Sir H  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Baring, Capt. Hn. G (Winchester  
 Barnard, E. B.  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Cave, George  
 Cecil, Lord John P. Joicey.  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc  
 Chaplin, Rt. Hon. Henry  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Lloyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fletcher, J. S.  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Goulding, Edward Alfred

Gretton, John  
 Guinness, Hn. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Heaton, John Henniker  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt. Hn. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Arthur, Charles  
 M'Calmont, Colonel James  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor,  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James  
 Pease, Herbert Pike (Darlington)

Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peet  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Eccleall)  
 Ronaldshay, Earl of  
 Ropner, Colonel Sir Robert  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sassoon, Sir Edward Albert  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff sh.)  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell (Lanark)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Whitbread, Howard  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Mr. Forster.

Clause 5 :

Question put, "That the clause stand  
 part of the Bill."

The Committee divided :—Ayes, 314 ; Noes, 118. (Division List No. 277.)

## AYES.

Abraham, William (Rhondda)  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Ashton, Thomas Gair  
 Asquith, Rt. Hn. Herbert Henry  
 Astbury, John Meir  
 Baker, Joseph A. (Finsbury E.)  
 Balfour, Robert (Lanark)

Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Benn, Sir J. Williams (Devonp'rt)  
 Benn, W. (T'w'r Hamlets, S. Geo.)

Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford



Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Buckmaster, Stanley O.  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Canston, Rt. Hon. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William  
 Crossfield, A. H.  
 Crossley, William J.  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Easlemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Fenwick, Charles  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)

Hardie, J. Keir (Merthyr Tydvil)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hazel, Dr. A. E.  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jackson, R. S.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Lare, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Massie, J.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.

Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn A. C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William  
 Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John

Wilson, J. W. (Worcestersh.N.)  
Wilson, P. W. (St. Pancras, S.)  
Wilson, W. T. (Westhoughton)

Winfrey, R.  
Wood, T. M'Kinnon  
Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
Joseph Pease and Master of  
Elibank.

## NOES.

Anson, Sir William Reynell  
Anstruther-Gray, Major  
Arkwright, John Stanhope  
Ashley, W. W.  
Aubrey-Fletcher, Rt.Hn. Sir H  
Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt.Hn. A.J. (City Lond.)  
Banbury, Sir Frederick George  
Baring, Capt. Hn. G (Winchester  
Barnard, E. B.  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Brotherton, Edward Allen  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Carson, Rt. Hon. Sir Edw. H.  
Cave, George  
Cecil, Lord John P. Joicey-  
Cecil, Lord R. (Marylebone, E.)  
Chamberlain, Rt Hn. J.A. (Worc  
Chaplin, Rt. Hon. Henry  
Clive, Percy Archer  
Coates, Major E. F. (Lewisham)  
Cochrane, Hon. Thos. H. A. E.  
Collings, Rt.Hn. J. (Birmingham  
Courthope, G. Lloyd  
Craig, Charles Curtis (Antrim, S.)  
Craig, Captain James (Down, E.)  
Craik, Sir Henry  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark, Govan  
Faber, George Denison (York)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fletcher, J. S.  
Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Goulding, Edward Alfred

Gretton, John  
Guinness, Hn. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Haddock, George B.  
Hamilton, Marquess of  
Hardy, Laurence (Kent, Ashf'rd  
Harris, Frederick Leverton  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Heaton, John Henniker  
Helmsley, Viscount  
Hill, Sir Clement  
Hills, J. W.  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Hunt, Rowland  
Kennaway, Rt. Hn. Sir John H.  
Kerry, Earl of  
Keswick, William  
Kimber, Sir Henry  
King, Sir Henry Seymour (Hull)  
Lane-Fox, G. R.  
Law, Andrew Bonar (Dulwich)  
Lee, Arthur H. (Hants, Fareham  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Long, Rt. Hn. Walter (Dublin, S.  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
Lyttelton, Rt. Hon. Alfred  
MacCaw, William J. MacGeagh  
M'Arthur, Charles  
M'Calmont, Colonel James  
Magnus, Sir Philip  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Meysey-Thompson, E. C.  
Mildmay, Francis Bingham  
Moore, William  
Morpeth, Viscount  
Morrison-Bell, Captain  
Nicholson, Wm. G. (Petersfield)  
Oddy, John James  
Pease, Herbert Pike (Darlington)

Percy, Earl  
Powell, Sir Francis Sharp  
Randles, Sir John Scurrah  
Ratcliff, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Ropner, Colonel Sir Robert  
Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell  
Sassoon, Sir Edward Albert  
Sheffield, Sir Berkeley George D.  
Smith, Abel H. (Hertford, East)  
Smith, F. E. (Liverpool, Walton  
Stanier, Beville  
Starkey, John R.  
Sta'Veley-Hill, Henry (Staff'sh.)  
Stone, Sir Benjamin  
Strauss, E. A. (Abingdon)  
Talbot, Lord E. (Chichester)  
Thomson, W. Mitchell- (Lanark)  
Thornton, Percy M.  
Tuke, Sir John Batty  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire  
Walrond, Hon. Lionel  
Warde, Col. C. E. (Kent, Mid)  
Whitbread, Howard  
Williams, Col. R. (Dorset, W.)  
Willoughby de Eresby, Lord  
Wilson, A. Stanley (York, E.R.)  
Winterton, Earl  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Young, Samuel  
Younger, George

TELLERS FOR THE NOES—Sir  
Alexander Acland-Hood and  
Mr. Forster.

Clause 5 :

Question put, "That the clause stand  
part of the Bill."

The Committee divided :—Ayes, 314 ; Noes, 118. (Division List No. 277.)

## AYES.

Abraham, William (Rhondda)  
Agar-Robartes, Hon. T. C. R.  
Agnew, George William  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armitage, R.  
Ashton, Thomas Gair  
Asquith, Rt. Hn. Herbert Henry  
Astbury, John Meir  
Baker, Joseph A. (Finsbury E.)  
Balfour, Robert (Lanark)

Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sir John E. (Somerset)  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Beck, A. Cecil  
Benn, Sir J. Williams (Devonp'rt  
Benn, W. (T'w'r Hamlets, S. Geo.)

Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Bramsdon, T. A.  
Branch, James  
Bright, J. A.  
Brooke, Stopford

the statutory reduction prescribed by Clause 1, Schedule 1. The Committee would observe that this Bill would come, or at least His Majesty's Government hoped that it might come, into operation by the 1st of January. The time, therefore, allowed to these bodies was only a period of three months within which to complete this complicated, and as the discussion the Committee had earlier in this debate showed, a most invidious task. These hapless justices were expected to unearth from some source or other elements of information which he believed existed in a very fragmentary condition. He thought he was right, or the learned Gentleman opposite would correct him. They had not the divining rod. The requisite figures to enable them to ascertain the ratio of licences to density of population in each rural parish and each urban area were not available. At any rate, it was not pretended that they were available with any approach to any degree of accuracy. And then they were in view almost of the taking of the new census. That was difficulty number one. Having surmounted this, the justices would have to consider how and where the modifications allowed in Schedule 1 were going to be adjusted, with the object of avoiding the infliction of gross injustice in exceptional cases. That was difficulty number two. These elaborate and anxious studies would have to be undertaken with the fear of the Licensing Commission in the minds of the justices, because this Bill finally invested that Commission with the power of accepting or rejecting these suggested Amendments, so that the local people, with their intimate knowledge of local conditions, ran the risk of having their opinions overborne and overridden by an outside body which would inevitably act to a great extent irrespective of local conditions, and in defiance, so to speak, of the desires of the respective localities, needs and wishes which he ventured to say no Government had any right to anticipate by such stringent, inelastic, and rough and ready rules. Presumably the right hon. Gentleman the Member for Spenn Valley, and the hon. Member for the Appleby Division would be the shining luminaries on that outside tribunal.

SIR S. EVANS: No, no.

\*SIR EDWARD SASSOON said he was more than glad to have elicited this

disclaimer from the learned Solicitor-General because, competent as they were, no two more bitter partisans could be found to equip a board which eminently required an impartial and a judicial mind to be brought to the solution of the problems coming before them. At any rate the work of the licensing justices would be of a very arduous nature, and he thought that it would be materially and physically impossible for them to complete their task within the specified period. From the nature of the case the scheme would, to all intents and purposes, be a numerical one, that was to say, the justices would have to fix upon the number of houses they had to see extinguished; the selection of the victims of the sacrifice would come after. And in this connection he might recall to the attention of the Committee subsection 1, Clause 44, which provided that the licensing justices should not refuse the renewal or the transfer of any old on-licences under circumstances involving the payment of compensation. It was difficult to conceive of conditions more harassing, because these future victims would be on the rack awaiting their appointed doom, or conditions less calculated to attract the right and the reputable sort of people to undertake the management of public houses. One would think that His Majesty's Government had taken a machiavellian delight in honeycombing their measure with provisions of bewildering uncertainty, and of wearisome ambiguity of interpretation. After all, these were minor and subsidiary objections. What he specially desired to impress upon the Committee was that this clause circumscribed and fettered the powers and the action of licensing justices. Why drag in the Licensing Commission at all? They could know nothing at first hand of local circumstances. Why could the Government not trust these local people not to abuse their powers or to act in a reasonable, sensible and businesslike manner? Here they were minutely prescribing to the local bodies all over the country, the precise lines and conditions upon which they were to proceed in the elaboration of their scheme, whatever attenuation and mitigation the special circumstances of each district might require. He should have thought that the Party opposite would have been the last people in the world to

deal such a severe blow upon an important branch of our system of local government. The hon. Member for one of the divisions of Essex last night laid the flattering unction to his soul that the Party to which he belonged was the sole depository of the orthodox creed of national and local liberty. Did he still think that he could advance that claim with any justice, in view of the scurvy treatment meted out to a body of gentlemen who had deserved well of their fellow countrymen? Had they, in any important case, been shown to have acted in defiance of the wishes of the districts with which they were connected? He remembered when they were piloting the Licensing Act of 1904, it was made a great point of that the Unionist Party ignored the position and the authority, and the competence of local justices, and the present Prime Minister, in criticising provisions of that Act, said that there should be an infusion in our local administrative licensing body of a popular and representative element. Could he still say with any approach to accuracy that anything like such conditions had been observed in the framing of the present measure? Instead of a popular and representative element, he offered a body of three gentlemen that reminded one very much of the three tailors of Tooley Street, responsible to no one, nominated by a party administration, having no acquaintance with local wants and local aspirations, sitting in some obscure office in London, and affecting the livelihood and the welfare of large bodies of His Majesty's subjects.

\*THE DEPUTY-CHAIRMAN: The hon. Baronet is anticipating the discussion of subsequent subsections of the clause. The question whether the licensing justices should have any discretion in the matter of the statutory reduction was fully debated, and decided in the negative, under a specific Amendment moved to Clause 1 (1). Subsection (1) of Clause 6, which the hon. Baronet is moving to omit, simply says that before 1st April, 1909, the licensing justices shall "prepare a scheme for carrying out in their district the statutory reduction." The submission of the scheme to, and its approval by, the Licensing Commission arise later, on subsection (4) of this same clause.

*Sir Edward Sassoon.*

MR. F. E. SMITH: Is it in order for my hon. friend to object on the ground that when the scheme is prepared it is to be submitted to another tribunal?

\*THE DEPUTY-CHAIRMAN: I do not think that comes under the words in regard to the preparation of the scheme. That question will arise later.

\*SIR EDWARD SASSOON submitted, on the point of order, that this subsection being the governing factor which was to determine the nature and the character of amendments to subsequent subsections, it was open to him to refer in general terms to the Licensing Commission under whose heel the opinions and the wishes of the licensing justices were to be placed. By the statutory reduction the Bill had already snatched away from these the discretion they had always possessed as to the advisability of extinguishing or renewing licences; it now went further and deprived them of the freedom to carry out their statutory duty free from outside interference in such manner as might seem good to them. Even in regard to the modifications under Schedule 1, local desires were to be subject to the veto of the Commission. A popular and representative element indeed was the last thing the Government wanted to see introduced into the administration of this measure. They knew it to be so unpopular, so contrary to the mass of public opinion, that they had to coerce the licensing justices by imposing upon them a statutory duty subordinating their knowledge of local wants to the orders of an unrepresentative commission and deposing them if they declined to be over-ruled by the triumvirate. It was because he considered this as an intolerable infringement of local liberties and because of his conviction that the result of this measure would be detrimentally to affect the comfort and the welfare of those who had to resort to the public-houses of the land—a class than whom, or even as much as whom, no other class of His Majesty's subjects had a greater right to the indulgent and considerate treatment of Parliament, that he begged to move the omission of this subsection.

Amendment proposed—

"In page 4, line 20, to leave out subsection (1)."—(*Sir Edward Sassoon.*)



Question proposed, "That the words proposed to be left out, to the word 'shall,' in page 4, line 21, stand part of the Clause."

SIR S. EVANS said the hon. Baronet had delivered a panegyric upon the local licensing justices and in so far as that was justified, and he was not saying it was not justified, it was an argument dead against the Amendment, because what was proposed in this subsection was that that very body whose fidelity and ability the hon. Baronet had commended, should prepare a scheme. The whole question which arose upon this Amendment was whether or not that body, upon whom the duty had been laid under Clause 1, was to prepare a scheme for the reduction of licences. The clause imposed an obligation upon the justices to reduce the licences in the district in which they acted, and the question was how they were to do it. The hon. Member had referred to the Licensing Commission. That was a matter which had better be discussed on subsection 4 of this clause which said a scheme prepared by the local justices was to be submitted to the Licensing Commission. In subsection 1 there was no mention at all of the Licensing Commission. He thought the Licensing Commission was a bugbear in the mind of the hon. Gentleman, but an opportunity would be provided on subsection 4 of dealing with the matter. The sole question which arose upon subsection 1 was whether or not the licensing justices should prepare a scheme. He did not know who the Licensing Commissioners were going to be, but whoever they were he was sure when they were appointed they would perform their duties perfectly well. The subsection imposed upon the licensing justices the duty of preparing a scheme before 1st April, 1909. They hoped this measure would become law certainly before the end of the year, and, although the hon. Member might be thinking of the vast work which would have to be done all over the country, if they distributed that work in the various districts, he did not think there would be any difficulty at all. He had heard no complaint from any body of licensing justices that the time at their disposal

between the framing of the measure and the time fixed for the operation of the scheme would not be sufficient. However, that might be, there was an Amendment down in his name which allowed the Licensing Commission to extend the time if special circumstances were brought to their notice.

\*MR. YOUNGER said the schedule specified the number of licences that should exist according to the population in particular districts, but of course it gave no information whatever, and the Government had no information worth having as to the effect their scheme of reduction would have or of the scheme which they said the licensing justices were to prepare. He had put a Question to the Prime Minister on 9th March last on this very point, but he was refused any answer on the ground that it was impossible to obtain the tabulated information desired without very great labour extending over a period which would prevent the issue of any such return in time to be of commensurate value for the purpose of discussion on the Licensing Bill. He should have thought there was lots of time between March and now to give all the information they wanted. It was extremely important that they should have had it. Loose statements had been made as to the number of licences to be extinguished under the Bill. The Government had not the ghost of a notion as to how many licences would be extinguished. They were in gross and culpable ignorance on the whole subject and they had done nothing whatever to enlighten themselves or the House. There were all sorts of conditions under which licences might be increased in certain circumstances which they could not tell the effect of and which they did not know how far it might be necessary in the public interest to use. The whole scheme of reduction was simply grabbed in rather an indifferently successful fashion from the Minority Report of the Royal Commission on Licensing, a Report which was thrown at their heads on every occasion when it suited the Government, and which was forgotten when it did not suit their purpose for quoting. But that minority was a very small one indeed.

It only contained one member of the independent panel, and he had yet to learn that Lord Peel, able man as he was, and very respected as he must be by every Member of the House, possessed any very outstanding authority on the subject. He had sat with Lord Peel all the years the Commission did its work and he was most assiduous and careful in everything, but to the last moment on the Licensing Commission there were many questions which Lord Peel never understood, and on the very last day when examining a witness he showed he had not picked up the exact bearing of the questions he was putting after being chairman for three and-a-half years. He was sorry to say that, and he said it only because so much importance was always laid upon Lord Peel's views when it suited the Government and their supporters, though when they ran counter to those of the Government they did not hear much about them. When, for example, he suggested in his original draft Report that to have a prohibitory resolution they should have three-fourths of the electors in a particular district voting for it, and for local management two-thirds, the Government could hardly claim that he supported their proposition on the veto question. So with other parts of the Report Lord Peel originally introduced, the teetotal friends with whom he latterly associated could not swallow this and he had to drop it and sign something quite different. The facts would be found in *Hansard*, he believed, in April of last year. The preparation of this scheme was a very important duty indeed. Under the Amendment which the Solicitor-General was to propose later, the effect of the reduction was to be considered and reported upon, he supposed by the Licensing Commission. That was a new importation into the clause which made it a little more intelligible and it gave a little more freedom of action than the Government apparently intended originally to grant. It might make all the difference in the world in their preparation of schemes and recommendations, and probably would make all the difference in the world in the decisions of the Licensing Commission. Therefore, when the Prime Minister and other Members talked about 30,000 licences being wiped

out they had no more idea than the man in the moon whether it would be 20,000, 30,000 or 40,000. The sooner the people understood that and the Government realised and admitted it the better. The period would be practically only thirteen years, because no on-licences which would be entitled to compensation were to be refused in the first year, so that the whole of this great reduction would have to be compressed into some thirteen years, a very short period indeed in which to effect such a large interference with what might be a necessary public convenience in these various districts. Surely the scheme involved greater difficulties than there was any need to create. He was entirely dissatisfied with it. He objected to it on principle, because it was absurd to suggest that they could by a hard and fast line say how many licences there ought to be in a particular district. They had considered this most carefully in the Licensing Commission, because they all acknowledged that there were too many licences in many districts. He acknowledged it quite frankly now. They did everything they could to adumbrate a scheme under which they could get some sort of numerical relation of licences to population, but they found themselves hopelessly stopped from doing so. When they went carefully into the evidence from many of these districts where there was a large number of licences, they found drunkenness was not extreme. In other cases where they were comparatively few, they found drunkenness much more extreme. In such places as Epping Forest all sorts of arrangements had been made, not for the people who lived there but for those who went there: just as exceptional arrangements must be made in the City of London for people who went there every day but did not sleep there at night; and they found it perfectly impossible, with any regard to the wants of those districts, to propose any consistent scheme which would effect what they desired—a proper reduction of licences in those districts where they acknowledged the need for reduction. The Government had, with probably a great deal less consideration than the Commission had given to the subject, accepted this proposition, and

*Mr. Younger.*

he did not think they were wise in doing so. They would find when the local justices had prepared their schemes there would be very great variations indeed proposed in this hard and fast scheme and that it would not work in many districts to which it was proposed to apply it. The Licensing Commission was given a most difficult task in supervising and advising upon all these reports, and in granting or refusing them, one which it was perfectly impossible for three men to perform without any of the local knowledge or experience of the needs of the district, which was essential in a matter of this kind. For three panjandrums sitting in London to control with any success the operations of an enormous number of licensing benches, and ascertain for themselves in anything like a satisfactory way the varying necessities of these districts was impossible. He would like to see the scheme altered *en bloc*, because he did not think it could possibly succeed. He believed, moreover, that it would have a totally different effect from what the Government thought it would have, and for these reasons he entirely objected to it.

\*MR. CLAVELL SALTER (Hampshire, Basingstoke) said he cordially supported this very important Amendment to a very important clause. They had enacted the fact of reduction; they had now the hardly less important matter of the proper machinery for reduction, and he could not help thinking that on the threshold of a matter so vital to the Bill, the few perfunctory words which the Solicitor-General had vouchsafed to them, and the appearance of the Liberal benches, were an eloquent commentary upon those passionate statements, of which they heard so much, that this Bill had behind it all that was best in the Liberal Party. He entirely agreed with what had been said in general praise of the licensing justices. He had some experience of them and of their methods, and he thought that in the main they well deserved every word of commendation that had been used of them. But it was because he had a high opinion of the licensing justices that he desired to support this Amendment, in protest against the manner in which these clauses

proposed to treat them. Discretion and responsibility must always go together, and no doubt responsibility often carried with it odium, and much that was unpleasant. But his objection to this clause was that it treated the licensing justices with the utmost injustice, in taking from them all real discretion and leaving them exposed to the bitterest odium and dislike, which they could stand if they had the discretion, but which without it was very hard to bear.

MR. McKENNA: You are dealing with subsection (1)?

\*MR. CLAVELL SALTER said he was dealing with subsection (1), but he was sure that the narrowest critic of technical points of order would not object to his saying that he was opposed to this plan of making the justices prepare a scheme and select the victims, because it was obvious that the authority which did the one must do the other. The licensing justices must prepare this scheme whether they liked it or not; whether they thought a reduction was necessary or not. Having prepared it, they must consider it and reconsider it on the orders of the Commission, and if the Commission thought fit to alter it they were helpless. The only thing in which discretion was given to the justices was in the selection of those licence-holders whose livelihood should be taken away without any reasonable or real compensation. He ventured to think that the licence-holder who found his livelihood taken from him would turn the brunt of his indignation not so much on Parliament which had passed this Bill, or even upon the Licensing Commission who insisted on certain reductions, as on these justices who had selected him as a victim to be destroyed. It was treating the justices with the greatest injustice to leave them no real discretion as to whether or not they would reduce, while they would be exposed, being men living in the place, among their neighbours to the bitter odium and dislike which must attend this selection of those who should be destroyed and ruined. On these grounds he strongly supported the Amendment.

MR. F. E. SMITH said he also desired to support the Amendment which his hon.

friend had moved, and he was not intimidated by the signs of enthusiasm on certain of the benches opposite. If one considered this Bill as a harmonious whole, as a measure which, though lengthy, was one of perfect draftsmanship, he should feel some objection to supporting the Amendment of his hon. friend, because he would feel that he was spoiling the artistic value of the Bill of the Government. But having regard to the fact that there was hardly a single clause, so far, that the Government were not pledged to alter before the Report stage, he felt that he could support this Amendment without interference with the artistic merits of the Bill. Under these circumstances he had no hesitation at all in falling back upon the mere ground of merit in claiming some support for the Amendment of his hon. friend. What was the position as it stood at present? It was quite true that in the earlier clauses a certain scheme of reduction had already received the approval of the Committee, and could not be discussed by him at the present moment. The proposal before the House now dealt with the machinery by which the already approved scheme of reduction was to be carried out. He ventured to press upon the Government some argument in favour of his hon. friend's Amendment, which he thought was worthy of serious consideration. Four years ago, when the Licensing Bill was being discussed, hon. Gentlemen were extremely eloquent on the importance of the functions discharged by the licensing justices and the iniquity of interfering with them. It was not interfering with them by sending them to three esteemed strangers in London but to their own district, and the late Prime Minister, Sir Henry Campbell-Bannerman, spoke of the undesirability of taking this decision from an able body of men and placing it in the hands of another body of men at a distance. This afforded the strongest argument in favour of the Amendment of his hon. friend. If they took subsection (3) of Clause 1 they would find that even there the activity of the Licensing Commission commenced, because it was to the effect that, if it appeared to that body that the grant of any new licence had been confirmed in contravention of the section, they should declare that that licence was invalid. As they went on in the

Bill they would find that it was not the licensing justices who counted, but the Commission in London. When they came to Clause 6, which they were discussing, here again the permission of the Licensing Commission was necessary before the licensing justices might give an auxiliary licence. He put it whether it was not a great mistake to maintain in this Bill relics of the past. Why have licensing justices at all? Was it not worth considering in the stage which they had reached, whether the scheme should not be prepared by the Licensing Commission so that the duties of the local justices, merely nominal now, should be extinguished. They would then know that they had descended to a bureaucratic age and got rid of those who had discharged these duties for many generations. Why not get rid of the already confusing inconsistencies of the Bill under which the licensing justices did one thing and the Commission might refuse it, and the Commission did one thing and the licensing justices started a counter memorial? Why not start a Licensing Commission and say they should prepare a scheme, and when they had prepared it say there should be an appeal to the Licensing Commission, and they should decide whether the scheme was a good one? How admirable would be such an Amendment, and why should they expose the local justices to the indignity of being mere puppets to a bureaucracy in the City of London, who knew nothing of the locality and only interfered in the decision so far as they might be supposed to be ready to take a partisan Act for the political Government of the day?

MR. JAMES HOPE said that until this Bill he always looked upon the office of justice of the peace as one of honour and dignity and of legitimate ambition. He believed that view was shared by many of the supporters of the Government, who in consequence caused some embarrassment to the head of the law in making a selection and in not overcrowding the benches from which justice in petty sessions was administered. He could only suppose that this particular provision was brought in to obviate any such embarrassment.

*Mr. F. E. Smith,*



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dignified and responsible work for all these centuries, was to be cut down to nothing and no responsibility or dignity to be attached to it, it was not likely that men would be desirous of sitting on the magistrates' bench.

\*THE DEPUTY-CHAIRMAN pointed out that the Committee had already decided in Clause 1 of the Bill that the statutory reduction of the licences should be made by the licensing justices. The Amendment now before the House was very limited in scope. The duty of the justices in this matter had already been decided, and the discussion now must be limited to the point that a scheme shall be prepared.

EARL WINTERTON, on the point of order, asked whether it would not be in order to discuss this point, having regard to the fact that the scheme must refer to particular houses.

\*THE DEPUTY-CHAIRMAN reiterated that this was a scheme for carrying out the statutory reduction; that duty was placed upon the justices, and that being so, the decision to which he referred in Clause 1 applied to this subsection so far as the discretion of the licensing justices was concerned. What the scheme should contain was the subject matter of the next subsection.

\*MR. CLAVELL SALTER asked whether it would not be in order, notwithstanding the fact that the reduction had been decided, to contend that the justices should not be made the vehicle.

\*MR. LEIF JONES (Westmoreland, Appleby) asked whether the justices had not already in Section 1 been made the vehicle for carrying out the statutory reduction.

\*MR. CLAVELL SALTER pointed out that Section 1 said that the justices should reduce the licences; it did not say there should be a scheme—that the justices should prepare a scheme or anything of that kind.

\*THE DEPUTY-CHAIRMAN said he had already pointed out that the discretion of the licensing justices, as

*Viscount Morpeth.*

regards the statutory reduction, had been negatived in an Amendment moved to Clause 1. The duty to prepare a scheme was a necessary consequence, so far as the matter of discretion was concerned.

VISCOUNT MORPETH said in that case he was afraid he had not made himself quite clear. The amount of the statutory reduction was decided by Clause 1, but under that clause there was a certain amount of discretion allowed both under subsection 1 and subsection 2.

\*THE DEPUTY-CHAIRMAN said that there was no discretion allowed to the licensing justices under Clause 1 which dealt with the statutory reduction. The present Amendment only dealt with the duty to prepare the scheme for carrying out the statutory reduction, and the noble Lord must limit his arguments to the Amendment before the Committee.

VISCOUNT MORPETH said the point was that the magistrates should produce a scheme, and in that scheme they should say what was desirable, whether more houses should exist in particular districts, having regard to the fact that they were touring or market districts or exceptional districts of that kind. That discretion was of a very attenuated character, and if that were now taken away it would be impossible to get anybody of weight or authority to sit and determine matters of that kind. Not only was it a very fine distinction, but it was controlled and trammelled by the fact that there was a Licensing Committee which could upset all their decisions. They all knew that the machinery was extremely slow. The local authority sent up the recommendation to the Department in London, and the Department sent down an official to make inquiry. Suppose that the opinion of the official was different from that of the magistrates who had used their discretion, then the matter was left to the Commission in London, who had no knowledge of their own as to the special circumstances of the locality, and were dependent solely and entirely on the official whom they had sent down over the heads of the magistrates.

\*THE DEPUTY-CHAIRMAN said the noble Lord must confine himself to the subsection under consideration, and he must not discuss the subsections which follow.

VISCOUNT MORPETH said his point was that the magistrates had little power because the matters left in their discretion were very limited, and further they could be overridden by somebody else. The difficulty in this matter was that the Government were prepared to trust nobody. The discretion of the magistrates seemed to be a discretion in which it was left to somebody else to say "Yes" or "No." The Government had taken the whole of the power out of the hands of these persons whom they would not trust, in order to concentrate it in the hands of two or three officials in London.

SIR F. BANBURY (City of London) said he was rather surprised, in view of the very excellent arguments which had come from Members of the Opposition, that nobody on the other side of the House had got up to show that they were wrong. The Solicitor-General had made a general statement which he thought had been proved to be incorrect by the speeches made on that side of the House. The First Lord of the Admiralty had said nothing; therefore it was to be presumed that he saw that the arguments which had been advanced were such as did not admit of reply. Therefore, with his great acuteness, he had said nothing, and was careful of his reputation; he had not committed himself to a reply which might be afterwards held to be inadequate to the occasion. There were several hon. Members present, the hon. Member for Denbighshire and the hon. Member for one of the divisions of Wales, and others, who were not only great authorities but extremely eloquent, and who could have been trusted, without the responsibility which attached to the Treasury Bench, to have risen and at any rate made some show of a defence against the reasons which had been put forward by his hon. friends around him. It appeared to him that there were two points which should be considered in connection with this clause.

The first was whether or not the time allowed was sufficient for the justices to do their work. That it was not sufficient was absolutely proved by the fact that the Solicitor-General had put down an Amendment to the clause, which provided that the time was to be extended, not by the Government, but by the Licensing Commission. But the Licensing Commissioners were not the people who ought to be entrusted with the power to extend the time. The original intention of the Government was that this scheme should be prepared by the licensing justices on 1st April, a very appropriate day as his hon. friend the mover of the Amendment had reminded them. If the Government had come to the conclusion that that was not the proper day, then they should themselves have extended the time by introducing an Amendment which would have provided a reasonable time in which the justices could prepare a scheme. There was nobody in that House or outside of it who really knew how long it would take to prepare a scheme, or what practical results it was to have, unless it was the Government. His hon. friend near him had, with his great prescience, so long ago as last March, asked how long it would take to prepare a scheme, or whether it would be possible for the justices to get the information to assist them in preparing a scheme. The Government said that it would require such an extreme length of time to get the information that they could not reply to the hon. Gentleman's question. But they would see that if they took from March to October they had seven months. Then if the Bill was passed by 1st January, he thought that was the estimate of the Solicitor-General, who added extreme sanguineness to his other great qualities—then taking from 1st January to 1st April, there remained—

\*THE DEPUTY-CHAIRMAN said the hon. Baronet was discussing an Amendment which would come later. Of course the discussion could include the question of time, but they could not have two discussions, one now and another when the other Amendments were reached, and if they were to discuss the question of time now, it must be understood that there was not to be a second discussion.

SIR F. BANBURY said they were discussing under very disadvantageous circumstances, and it was quite probable that the other Amendments would never be reached, because they had only another hour and twenty minutes. Of course, he did not wish to carry the discussion further. [Cries of "Go on."] Very well, he would endeavour to show that the time allowed, from every point of view, was not sufficient. Let them consider what the licensing justices had to do. He understood that under this scheme there was no question of choosing houses or persons; it was merely the numbers which would be chosen. But he also understood that the number would have to be distributed over the different areas of the districts of the licensing justices. That was an extremely difficult task to perform, because they had not only to get the facts with regard to the areas, but they had to gather their information for the whole fourteen years. He understood that he was correct in saying that the facts would have to be ascertained with regard to the different areas and spread over the whole fourteen years. That being so, he thought that three months was not a sufficient time, and he also thought that any extension of time should be given by Parliament and not by the Licensing Commission. The justices were really being put as a sort of buffer between the Commissioners and the people. That was a very invidious position in which to place them. If there was to be any buffer it should be Parliament. He did not think it expedient from the point of view of the nation that the justices should be treated in this manner. The justices had very high functions entrusted to them; they had to exercise judicial authority in a proper manner, and though he did not for one moment believe that they would be actuated by a desire to seek for popularity, yet one did not want to put them into a disagreeable position. Therefore, under the circumstances, he hoped that his hon. friend's Amendment would be accepted. He felt that in all courtesy the arguments which had been advanced with great cogency by hon. Members on that side of the House ought at least to have had some reply, if not from Members of the Treasury Bench, at any rate from hon. Members who sat behind them, in

order to enlighten the Committee on one of the most important clauses of the Bill.

MR. RICHARDSON (Nottingham, S.) said he had heard the whole of the speeches of hon. Members of the Opposition, and he must say, if he might do so without disrespect, that they appeared to him to be artificial and unreal, and not applied seriously to the Amendment before the House. Only two points, in his judgment, had been raised by Members of the Opposition. One was that it was a slight upon the justices to lay this duty upon them; and the second was that the justices were not the best instrument for carrying out the work. He had the honour to be one of a bench of magistrates, though he must say that he had not accepted the position for the sake of social distinction; but being a justice he could assure hon. Gentlemen opposite that no duty could be placed on his shoulders which he would carry out with greater pleasure than that of the enforcement of the provisions of this Bill, and especially this part of the measure which the Opposition wished to eliminate. He had noticed during the short time he had been on the bench that very many of the cases which came before them had their origin in these licensed houses; and he thought the justices would be better employed in doing away with some of those houses than in sentencing these unfortunate people to fourteen days imprisonment or inflicting upon them a fine of 15s. He thought the licensing justices were just the men to frame this scheme, because they knew the needs and requirements of their respective localities, and how the houses should be distributed. He hoped that the Government would stand by their proposal, and he opposed the Amendment.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said that the argument of the hon. Member who had just spoken pointed to something which was not in the Bill. The hon. Member argued that the justices were thoroughly well acquainted with the business they had to do, and, as a justice, he would like to have the whole discretion in dealing with licences. But in this case there was no discretion at all. Instead of



having discretion in dealing with licences in a particular district the justices were bound by a hard and fast rule to make a certain statutory reduction within a given time. That was not a position in which magistrates ought to be placed.

THE DEPUTY-CHAIRMAN said that the Committee had already decided that the statutory reductions were to take place.

VISCOUNT HELMSLEY said he was merely endeavouring to answer the arguments of the hon. Member for Nottingham, and to show that the justices had no discretion in the matter of statutory reductions. He would like to say a word on the general question as to which no member of the Government had yet spoken. They had not heard why the Government had fixed upon this particular date for the reduction of the licences and what grounds they had for supposing that the magistrates had sufficient time to make a scheme for reduction. Another important point on which they ought to hear a good deal from the Government was, what was the general basis for a statutory reduction in proportion to population. [Cries of "Order."]

THE DEPUTY-CHAIRMAN said that the only question they were dealing with was that relating to the justices preparing schemes.

\*MR. G. D. FABER said he could not help wondering why only three months were to be allowed to the licensing justices to perform this arduous business of preparing schemes. Clause 44 provided that the licensing justices should not during the year 1909 refuse the renewal or transfer of any old on-licence under circumstances involving

the payment of compensation. That meant that the year 1909 was to be a period during which no licence would be touched, and that the Licensing Commission, whatever might happen in the case of the licensing justices, would require a whole year to make their arrangements, because the reduction period was not to begin until 1910. Why was it that the Commission had a whole year to consider this matter, and the licensing justices were only to be allowed three months? It was contrary to the promise which the Prime Minister had given in introducing the Bill that all the powers of the licensing justices were to be restored, to find that the licensing justices were to have nothing to do except to prepare a scheme. From his point of view it was derogatory to the dignity of the licensing justices that their powers should be whittled down to the preparation of a scheme which might be torn to tatters by the Commission. Having prepared a scheme, the justices were afterwards permitted to do no more than to act as common executioners by selecting the licences to be destroyed.

MR. JOHN RUTHERFORD (Lancashire, Darwen) thought that this clause was altogether objectionable. Every magistrates' clerk and chief constable throughout the country would object to the position in which it would place them; inasmuch as it would subject them to the approval of the town council and the magistrates, and also to the approval of the Commission in London. He supported the Amendment of his hon. friend.

Question put.

The Committee divided :—Ayes, 228 ; Noes, 68. (Division List No. 278.)

#### AYES.

Abraham, William (Rhondda)  
Agar-Robartes, Hon. T. C. R.  
Agnew, George William  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Astbury, John Meir  
Baker, A. Joseph (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)

Barker, John  
Barlow, Sir John E. (Somerset)  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Beck, A. Cecil  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.

Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'd)  
Bethell, T. R. (Essex, Maldon)  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Bramsdon, T. A.  
Branch, James  
Bright, J. A.  
Brooke, Stopford

Bryce, J. Annan  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cotton, Sir H. J. S.  
 Crooks, William  
 Crosfield, A. H.  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Essex, R. W.  
 Easlemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Faber, G. H. (Boston)  
 Fenwick, Charles  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, Hamar (York)  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner

Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Jacoby, Sir James Alfred  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson J.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Massie, J.  
 Menzies, Walter  
 Middlebrook, William  
 Morgan, G. Hay (Cornwall)  
 Morton, Alpheus, Cleophas  
 Murray, Capt. Hn. A. C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Price, C. E. (Edinburgh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monmt'h)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.

Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbigh)  
 Robertson, Sir G. Scott (Bradford)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scott, A. H. (Ashton-under-Lyme)  
 Sears, J. E.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest P.  
 Spicer, Sir Albert  
 Stanley, Hn. A. Lyulph (Cheek)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thompson, J. W. H. (Somerset, E.)  
 Thorne, G. R. (Wolverhampton)  
 Torrance, Sir A. M.  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Ward, John (Stoke-upon-Trent)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Yoxall, James Henry

TELLERS FOR THE AYE, Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Anstruther-Gray, Major  
 Balcarres, Lord

Banbury, Sir Frederick George  
 Baring, Capt. Hn. G. (Winchester)  
 Barnard, E. B.

Beach, Hn. Michael Hugh Hicks  
 Bignold, Sir Arthur  
 Bridgeman, W. Clive

Brotherton, Edward Allen  
 Campbell, Rt. Hon. J. H. M.  
 Carile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hon. J. (Birmingham)  
 Courthope, G. Lloyd  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fell, Arthur  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Hamilton, Marquess of  
 Helmsley, Viscount  
 Hill, Sir Clement

Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kennaway, Rt. Hon. Sir John H.  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 MacCaw, William J. MacGeagh  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Meysey-Thompson, E. C.  
 Morpeth, Viscount  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George

Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Salter, Arthur Clavell  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell (Lanark)  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Williams, Col. R. (Dorset, W.)  
 Wortley, Rt. Hon. C. B. Stuart-  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Edward Sassoon and Earl  
 Winterton.

SIR S. EVANS moved to add the words after 1909, "Or such later day as may be allowed in any case by the Licensing Commission." He did not think that, in the ordinary course of things, the interval which would elapse between the passing of this measure and the operation of this clause was too short. It was not a general extension of time they desired, but if it was found in any particular locality on account of any difficulties of the work or for any special reason that the time was rather short they wanted the Licensing Commission to be able to do the best they could for the district generally, although they might not be able to present the scheme by the fixed date. It was merely to meet those exceptional cases that he had thought it necessary to put down this Amendment. There were about a thousand licensing districts, and, therefore, the work in the country would be distributed, but so far as the Commission was concerned, of course, they would have the supervision of the whole, and therefore it was quite necessary that they should have longer time than was permitted to the justices in the ordinary course to prepare schemes for their respective localities. It should be remembered that the scheme did not comprise the selection of the houses whose licences were to be extinguished.

#### Amendment proposed—

"In page 4, line 21, at the end, to insert the words 'or such later day as may be allowed in any case by the Licensing Commission.'"—  
 (Sir Samuel Evans.)

Question proposed, "That those words be there inserted."

MR. F. E. SMITH moved to omit all the words of the Amendment after the word "as" in order to insert the words "they may think proper." The effect of that would be that the persons on whom the decision would rest as to whether there should be an extension or not would be the justices and not the Licensing Commission in London. He would ask the Committee to consider a little more carefully what the proposal of the Government meant. In this case they had local justices dealing with the needs of their own locality and the Government was imposing upon them the duty of preparing schemes. Supposing the justices found themselves unable in the proper time to prepare their scheme, they had to appeal to three gentlemen sitting in London who knew nothing of the locality in order to ask them as a matter of grace for a little delay. A more undemocratic proposal was never heard from any Government. He would like to remind the Chancellor of the Exchequer, the Solicitor-General, and the Home Secretary of a debate on the last Licensing Bill in 1904 in which most of them took part, and in which the then Leader of the Opposition, Sir Henry Campbell-Bannerman, used the following words—

"We insist that there shall be no tampering with or modification of the discretion of the local magistrates. . . . We say that the discretion of the local magistrates ought not to be interfered with or modified, but it is to be

abolished by this Bill. The local magistrate, the man on the spot, the man who knows all about it, who lives in the locality, is acquainted with its requirements, and is conversant with the feeling of the inhabitants; is to be practically set aside, except that he may, perhaps, send a written memorial to the superior court, and the estimable gentleman from another part of the world, who has no knowledge whatever of the circumstances, will be entrusted with this essential part of the magisterial control of the publican."

Those who applauded and cheered those sentences, when they were uttered, and supported the then Leader of the Opposition in the division lobby, came forward four years later with the proposal that the discretion of the licensing justices should be subordinated not to Quarter Sessions but to the decision of three gentlemen in London to be appointed by the Government, and who did not pretend to have the slightest acquaintance with the needs of the locality. If there was any sincerity in the case put forward by hon. Gentlemen opposite when in opposition that the discretion should be maintained, then there was no case in which it was more proper and essential to insist upon the maintenance of that discretion than in the case now under consideration. He begged to move.

Amendment proposed to the proposed Amendment—

"To leave out from the word 'as,' to the end, and to insert the words 'they may think proper.'"—(*Mr. F. E. Smith.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) said he supposed that on this Amendment it would be possible to raise the whole question of the existence and scope of the Commission.

\*THE DEPUTY-CHAIRMAN: That would not be possible. It appears to me that the only question that is raised here is whether this matter is to be in the discretion of the Licensing Commission.

MR. LANE-FOX said he rather anticipated that that would be the ruling. It was just as well to know where they were. This Amendment dealt with the question

*Mr. F. E. Smith.*

of the subordination of the local justices to the Licensing Commission. It was not putting it too strongly to say that the justices were going to be asked to do the dirty work of the Commission in the preparation of the proposed schemes. It seemed to him that the justices might have been left to their own discretion in such a matter as the date for the completion of the schemes. The position of subordination the justices were in to the Licensing Commission was sufficiently degrading in many points to make a good many dislike the task put before them, and refuse to serve in that capacity. It was quite possible that the effect of the Bill as it stood might be that they would only get as justices those who were so determined on reform in this connection that the Bench would be composed entirely of ultra-teetotal people. He hoped the Government would give some further reason for the attitude they had adopted in refusing to give the justices this discretion.

SIR S. EVANS said it was in order that the Committee might come to a speedy decision on this matter that he rose to reply now. The point raised by the Amendment was whether the time should be extended. If they said in one part of the clause that the justices were to do this work by a certain date, and in another part at such another date, that would be contradictory. It was always interesting to listen to the hon. and learned Member for the Walton Division on democratic principles. He said that if the Government were to act on those principles in this matter, they would leave it to the discretion of the justices. Really that question did not arise on this Amendment. The quotation made from a speech of the late Prime Minister in 1904 was one which contained the expression of a view with which they all agreed and to which the Government had given the amplest effect in the Bill. The Government had said that the justices were the people to decide on the statutory reduction of licences. Of course, the Licensing Commission, or some other body, must be put over the licensing justices, because the latter would have no control over the fund, which was to be a general fund, and it was because it was a national fund for



the whole of England and Wales that they must have some central body to deal with it. The Commission, however, were not put over them for the purpose of saying whether the licence of the "Black Bull" or the "Blue Boar" was to be taken away. The fullest discretion in that matter was given to the justices, and the Commission in London would have nothing to do with it. With regard to the benches being composed of ultra-tee-totallers, he knew what a teetotaller was, but not an ultra-teetotaller.

MR. LANE-FOX said the tendency of the condition imposed on the justices by this section would be to induce gentlemen who found the work burdensome to keep away.

SIR S. EVANS said he hoped the provisions of the Bill would not be such as to induce any of the present justices to withdraw from office, or to prevent anybody who desired to become a magistrate from still having that desire.

MR. YOUNGER, in supporting the Amendment, reminded the Solicitor-General of his own Amendments on the Paper, some of which tended to make this clause a little less stupid than it was at present. The alterations to be made in the clause by the Government wholly altered the situation and made the justices on the spot very much better judges of the time required to prepare the scheme than the Licensing Commission sitting in London who knew nothing whatever of the districts. Of course, it was convenient for the Government to evade all those points. They were extremely clever in doing so, but they were usually found out.

\*MR. CLAVELL SALTER suggested to the mover of the Amendment that a certain amount of alteration in it was necessary. It would hardly do to enact that the justices should make their scheme before 1st April, or some future date. It was necessary to state some fixed date which they

should have power to fix during the currency of a period. Provided that was done he could see nothing inconsistent or contradictory in the clause as it would then read. There was nothing novel in giving an authority power to extend the time in which it should perform some ministerial function. The practical question before the Committee was as to who was the best judge of the local circumstances of a particular scheme, and whether or not it was expedient that the time should be extended. The difficulties arising would be purely local and personal, as to which the Commission in London could, in the nature of the case, have no sort of knowledge, while the local justices must know fully all the circumstances of the case. It appeared to him that it would be more practical and desirable to allow the discretion as to the occasional extension of time to be exercised by those who had local knowledge.

\*CAPTAIN FABER said the Solicitor-General had stated that the justices were to have the power to decide whether the licence of the "Black Bull" or the "Blue Boar" was to be extinguished. But it should be remembered that the Commissioners in London could act over the heads of the justices in regard to money, and the two houses might not be of the same value. If the justices were to recommend the Commissioners to do away with the "Black Bull," they might turn round and say they had not the £3000 necessary for compensation in that case, though the amount they had available would be sufficient to pay compensation in the case of the "Blue Boar." He hoped that the hon. and learned Gentleman would admit that there was some difficulty in the case.

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

The Committee divided :—Ayes, 271 ; Noes, 93. (Division List No. 279.)

AYES.

Abraham, William (Rhondda)	Allen, Charles P. (Stroud)	Astbury, John Meir
Agar-Robartes, Hon. T. C. R.	Armitage, R.	Baker, Joseph A. (Finsbury, E.)
Agnew, George William	Armstrong, W. C. Heaton	Balfour, Robert (Lanark)
Alden, Percy	Ashton, Thomas Gair	Baring, Goodfrey (Isle of Wight)
Allen, A. Acland (Christchurch)	Asquith, Rt. Hn. Herbert Henry	Barker, John

Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Benn, Sir J. Williams (Devonp'rt)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Causton, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornlev  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Crooks, William  
 Crossfield, A. H.  
 Crossley, William J.  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hn. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford

Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Middlebrook, William

Moltano, Percy Alport  
 Money, L. G. Chionza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn. A. C. (Kincaid)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Basettlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 Parker, James (Halifax)  
 Partington, Oswald  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eves)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Haro  
 Pirie, Duncan V.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbigh)  
 Robertson, Sir G. Scott (Bradfrd)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsobrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Summerbell, T.

Sutherland, J. E.  
Taylor, Theodore C. (Radcliffe)  
Thomas, Sir A. (Glamorgan, E.)  
Thomas, David Alfred (Merthyr)  
Thompson, J. W. H. (Somerset, E)  
Thorne, G. R. (Wolverhampton)  
Tomkinson, James  
Trevelyan, Charles Philips  
Ure, Alexander  
Verney, F. W.  
Walker, H. De R. (Leicester)  
Walsh, Stephen |  
Walton, Joseph  
Ward, John (Stoke-upon-Trent)

Waring, Walter  
Wason, Rt Hn. E. (Clackmannan  
Wason, John Carchart (Orkney)  
Waterlow, D. S.  
Watt, Henry A.  
White, J. D. (Dumbartonshire)  
White, Luke (York, E. R.)  
Whitehead, Rowland  
Whitely, John Henry (Halifax)  
Whittaker, Rt Hn. Sir Thomas P.  
Wiles, Thomas  
Williams, (J. (Glamorgan)  
Williams, Llewelyn (Carmarthen  
Williams, Osmond (Merioneth)

Williamson, A.  
Wills, Arthur Walters  
Wilson, Henry J. (York, W. R.)  
Wilson, John (Durham, Mid)  
Wilson, J. W. (Worcestersh. N.)  
Wilson, P. W. (St. Pancras, S.)  
Wilson, W. T. (Westhoughton)  
Winfrey, R.  
Wood, T. M'Kinnon  
Yoxall, James Henry  
  
TELLERS FOR THE AYES—Mr.  
Joseph Pease and Master  
of Elibank.

NOES.

Acland-Hood, Rt Hn. Sir Alex. F  
Anson, Sir William Reynell  
Anstruther-Gray, Major  
Arkwright, John Stanhope  
Aubrey-Fletcher, Rt. Hn. Sir H.  
Balcarras, Lord  
Balfour, Rt Hn. A. J. (City Lond.)  
Banbury, Sir Frederick George  
Baring, Capt. Hn. G (Winchester  
Barnard, E. B.  
Beach, Hn. Michael Hugh Hicks  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Carson, Rt. Hon. Sir Edw. H.  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord R. (Marylebone, E.)  
Clark, George Smith  
Coates, Major E. F. (Lewisham)  
Collings, Rt. Hn. J. (Birmingham  
Courthope, G. Loyd  
Dixon-Hartland, Sir Fred Dixon  
Doughty, Sir George  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Faber, George Denison (York)  
Faber, Cant. W. V. (Hants, W.  
Fardell, Sir T. George  
Fell, Arthur

Fletcher, J. S.  
Forster, Henry William  
Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Gooch, Henry Cubitt (Peckham)  
Gretton, John  
Hamilton, Marquess of  
Helmsley, Viscount  
Hill, Sir Clement  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Hunt, Rowland  
Kennaway, Rt. Hon. Sir John H.  
Keswick, William  
Kimber, Sir Henry  
King, Sir Henry Seymour (Hull)  
Lane-Fox, G. R.  
Law, Andrew Bonar (Dulwich)  
Lee, Arthur H. (Hants, Fareham  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Lyttelton, Rt. Hon. Alfred  
MacCaw, William J. MacGeagh  
Marks, H. H. (Kent)  
Meysey-Thompson, E. C.  
Mildmay, Francois Bingham  
Moore, William  
Morpeth, Viscount  
Nicholson, Wm. G. (Petersfield)  
Oddy, John James  
Parker, Sir Gilbert (Gravesend)  
Pease, Herbert Pike (Darlington)

Percy, Earl  
Randles, Sir John Scurrah  
Ratoliff, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renwick, George  
Ronaldshay, Earl of  
Rutherford, John (Lancashire)  
Sheffield, Sir Berkeley George D  
Smith, Abel H. (Hertford, East)  
Stanier, Beville  
Starkey, John R.  
Staveley-Hill, Henry (Staff'sh.  
Stone, Sir Benjamin  
Strauss, E. A. (Abingdon)  
Talbot, Lord E. (Chichester)  
Thomson, W. Mitchell (Lanark)  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Lionel  
Warde, Col. C. E. (Kent, Mid)  
Whitbread, Howard  
Williams, Col. R. (Dorset, W.)  
Willoughby de Eresby, Lord  
Winterton, Earl  
Wortley, Rt. Hon. C. B. Stuart-  
Wyndham, Rt. Hon. George  
Young, Samuel  
Younger, George  
  
TELLERS FOR THE NOES—Mr.  
F. E. Smith and Mr. Salter.

Question, "That those words be there inserted," put, and agreed to.

Amendments proposed—  
"In page 4, line 26, after the word 'effect,' to insert the words 'as regards the number of licences.'"  
"In page 4, line 27, after the word 'area,' to insert the words 'giving particulars of any modifications made in the strict application of the scale.'"—(Sir S. Evans.)

Amendments agreed to.  
MR. JAMES HOPE moved an additional subsection (c) providing that the scheme should be published in every district, and a copy sent to each of the licensees and owners affected. He thought that the Amendment, which had originally

been put down on the Paper by the hon. Member for Wandsworth, would commend itself to the Committee. He held that all the licensees and owners in a district which would be affected by the scheme ought to be informed of the nature of the scheme, so that they might have an opportunity of approaching the Commission and showing, if need be, that the licensing justices had neglected in any way to carry out the principles of the Schedule. It was a slight mitigation in the direction of an easier working, and as such he had no doubt the Government would accept it.

Amendment proposed—  
"In page 4, line 31, at the end to insert the words '(c) be published in every district, and

a copy sent to each of the licensees and owners affected."—(*Mr. James Hope.*)

Question proposed, "That those words be there inserted."

SIR S. EVANS said the effect of the Amendment was that the scheme to be prepared by the justices and sent to the Committee was to be published in the district and copies sent to each of the licensees and owners affected. It meant that a copy was to be sent to everybody who held a licence or was interested in one. He thought the Amendment was probably put down by the hon. Baronet the Member for Wandsworth under a misapprehension. It was quite right that those who were interested in the licences to be taken away should be heard, but there was no reason that he could suggest to the Committee why the scheme, dealing not with individual cases of licences to be extinguished but with the reduction according to the Schedule of the Bill or the modification in the particular localities, should go to everybody who was interested in licences in the district. But after the scheme had been originally passed, then it was right that those with licences which it was proposed to extinguish should be heard. Under those circumstances he was afraid he could not accept the Amendment.

MR. A. J. BALFOUR said they would never get to Clause 7 for the purposes of discussion, and therefore they would not settle finally the discussion which they had before dinner as to where they now stood. The Prime Minister, the Solicitor-General and the Front Bench opposite generally said they meant to have every kind of publicity and a fair trial or hearing for all the persons whose licences were threatened. Very well. Supposing a man's licence under the scheme was to be taken away, what was his defence? He could say: "I have a good business, and I do not think there is any reason why my licence should be taken away." But the justices would say: "Well, all you say is true, but we have to take away a certain number of licences. The other licensees are just as well behaved as you are, and every argument you can use is used by them, and the only argu-

ment before us is as to how many licences have to be taken away." That was the scheme. Why were the Government not, therefore, going to publish the scheme which would furnish the real substance of the argument that that licensee must deal with? All the licensee could say was: "You are obliged by law to deprive this district of, say, five licences, and you have chosen to include mine among the five. I only hear this for the first time to-day as you have not published the scheme. I have not had an opportunity of preparing an argument to show that if five licences are to be abolished mine should not be one of the five." Was not that a material point, and yet that was the scheme which the Government refused to publish. He was unable to understand, first, why there should be a scheme prepared by the magistrates, secondly, why that scheme should be accepted by the Licensing Commission, and, thirdly, why that scheme, being the only one at which an argument could occur before the magistrates when this hearing of which they were told so much took place, should be kept from the knowledge of those most nearly concerned.

SIR S. EVANS said he thought he made it plain that the scheme must follow the plan of the Bill—must have the population ratio of the Schedule. With that the individual licensee had nothing whatever to do, but when it came to the selection of the houses, and to the carrying out of the scheme which had been prepared, then the licensee would have notice and a good hearing.

MR. A. J. BALFOUR thought the licensee would not have a good hearing, but granting the thesis of the hon. and learned Gentleman, ought not the licensee to have the materials in respect to which that full hearing was to be held? What argument had the "Blue Bear," or whoever the particular victim was, to bring forward? It was not to be about his good behaviour, nor as to the needs of the district, because that was settled by the House of Commons in total ignorance of those needs. It could only be settled by a consideration of the number allowed in the district and by the proof which



the owner of the "Blue Boar" could bring before the magistrates that if somebody was to be victimised he was not to be the man. But he must know exactly the number to be victimised; in other words, he must know the scheme. Surely the only argument he could bring forward was: "You tell me to-day that a certain number of licences have to be suppressed, and that you have chosen mine to be one of them. In my opinion if you have got to suppress these by law, the 'Red Lion' ought to be suppressed and not the 'Blue Boar.'" But the owner of the "Blue Boar" must know the general scheme before he used that argument. How could he make his defence unless he knew the scheme? The whole argument turned on the scheme. Therefore, let them publish the scheme and allow the man affected by it to know what it was and to frame the defence which would show that the "Red Lion" and not the "Blue Boar" was the licence that had to be sacrificed in order to meet the arbitrary and Procrustean method by which the learned Gentleman proposed to proceed. He could not tell why the Government resisted the Amendment. He thought the Government wanted the Bill to be not only unjust, but obviously and practically unjust. Even the smallest modification which they ventured to suggest, which did not touch or affect any vital principle of the measure, was unpityingly rejected. He could not understand why the Government in their own interests did not at all events attempt to soften the outlines of their picture, even though they refused to alter the main scheme. Let them make it as agreeable as they could for their unhappy victims. They were not content to do that. They were determined not merely to do that which was unjust, but to do it in a most unjust way. The very least they could do when they put these unhappy persons on their trial was to give them all the information possible in order to make their defence

as complete as possible. That was a modest request, and it was absolutely refused, and the Solicitor-General had given no reason for refusing it. Indeed he said it might be granted if the magistrates liked. There was no disadvantage in granting it in the case of the magistrates or the Commission; then let them make obligatory what they admitted was not noxious, and they would at all events, have shown that this hearing should be made with all the circumstances, not merely before the magistrates, but in the possession of the man who was to be heard.

SIR HENRY KIMBER (Wandsworth) apologised for not being in his place in time to move the Amendment, and said it would be noticed that the provisions as to the preparation of the scheme described by Clauses 6 and 7 were all to be done *in camera*. No party interested was to be at liberty to appear. The justices and the Commission were to meet, he supposed, and it then became the duty of the justices to select the individual licences to be extinguished. Up to that point, and even after, the person affected was not to be heard at all. He was only to be heard if and when he applied for a renewal of the licence, which, unknown to him, perhaps, it had already been decided should be extinguished. Let them suppose he was to have a hearing on the question as to whether it was or was not to be extinguished on that occasion. Obviously the answer which the licensing justices—

And, it being half-past Ten of the Clock, the CHAIRMAN proceeded, pursuant to the Order of the House of the 17th July, to put forthwith the Question on the Amendment already proposed from the Chair.

Question put, "That those words be there inserted."

The Committee divided:—Ayes, 122; Noes, 300. (Division List No. 280.)

#### AYES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
Anson, Sir William Reynell  
Anstruther-Gray, Major  
Arkwright, John Stanhope  
Ashley, W. W.  
Aubrey-Fletcher, Rt. Hn. Sir H.

Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt. Hn. A. J. (City Lond.)  
Banbury, Sir Frederick George  
Banner, John S. Harmond.  
Bar-

Beach, Hn. Michael Hugh, Hicks  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Brotherton, Edward Allen

Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hon. J. A. (Worc.)  
 Clark, George Smith  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Harris, Frederick Leverton

Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt. Hon. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hon. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Calmont, Colonel James  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.

Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Ropner, Colonel Sir Robert  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sheffield, Sir Berkeley George D  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell (Lanark)  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Whitbread, Howard  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE AYES—Sir  
 Henry Kimber and Mr.  
 Gretton.

## NOES.

Abraham, William (Rhondda)  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hon. Herbert Henry  
 Astbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romf'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James

Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hon. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Causton, Rt. Hon. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, CH (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William  
 Crosfield, A. H.  
 Crossley, William J.  
 Curran, Peter Francis  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)

Dilke, Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coates, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)

Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hedge, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 McCrae, Sir George  
 McKenna, Rt. Hon. Reginald  
 McLaren, Sir C. B. (Leicester)  
 McLaren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.

Masterman, C. F. G.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eyo)  
 Philips, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinburgh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.

Seaverns, J. H.  
 Soddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N.W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Trevelayn, Charles Philips  
 Ure, Alexander  
 Walker, H. De R. (Leicester)  
 Walsh Stephen  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Williams Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. W. (Worcesters. H.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

The CHAIRMAN then proceeded | the Government of which notice had  
 successively to put forth with the Ques- | been given, and the Questions necessary  
 tion on the Amendments moved by | to dispose of the Business to be con-

cluded at half-past Ten of the clock this day.

### Amendments proposed—

“In page 5, line 2, to leave out the words ‘consultation with,’ and to insert the word ‘giving.’”

“In page 5, line 2, after the word ‘justices,’ to insert the words ‘an opportunity of consulting with them.’”—(*Mr. Solicitor-General*)

### Amendments agreed to.

Question put, “That the Clause, as amended, stand part of the Bill.”

The Committee divided :—Ayes, 302; Noes, 120. (Division List No. 281.)

### AYES.

Abraham, William (Rhondda)  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Alden, Percy  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hn. Herbert Henry  
 Astbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beck, A. Cecil  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (Tower Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romford)  
 Bethell, T. R. (Essex, Maldon)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard  
 Cameron, Robert  
 Causton, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, CH (Sussex, E. Grinstead)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tyne mouth)  
 Crooks, William

*Mr. Emmott*

Crosfield, A. H.  
 Crossley, William J.  
 Curran, Peter Francis  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Dilke Rt. Hon. Sir Charles  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hn. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John

Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk Burghs)  
 Mackarness, Frederick C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip



Morton, Alpheus Cleophas  
Murray, Capt. Hn A. C. (Kincard.)  
Murray, James (Aberdeen, E.)  
Myer, Horatio  
Napier, T. B.  
Newnes, F. (Notts, Bassetlaw)  
Nicholls, George  
Nicholson, Charles N. (Doncaster)  
Norton, Capt. Cecil William  
Nussey, Thomas Willans  
Nuttall, Harry  
O'Donnell, C. J. (Walworth)  
Parker, James (Halifax)  
Partington, Oswald  
Paulton, James Mellor  
Pearce, Robert (Staffs, Leek)  
Pearce, William (Limehouse)  
Pearson, Sir W. D. (Colchester)  
Pearson, W. H. M. (Suffolk, Eye)  
Philipps, Col. Ivor (Southampt'n)  
Philipps, Owen C. (Pembroke)  
Pickersgill, Edward Hare  
Pirie, Duncan V.  
Pollard, Dr.  
Ponsonby, Arthur A. W. H.  
Price, C. E. (Edinburgh, Central)  
Price, Sir Robert J. (Norfolk, E.)  
Priestley, Arthur (Grantham)  
Priestley, W. E. B. (Bradford, E.)  
Radford, G. H.  
Rainy, A. Rolland  
Raphael, Herbert H.  
Rea, Walter Russell (Scarboro')  
Rendall, Athelstan  
Richards, Thomas (W. Monm'th)  
Richards, T. F. (Wolverhampt'n)  
Richardson, A.  
Ridedale, E. A.  
Roberts, Charles H. (Lincoln)  
Roberts, G. H. (Norwich)  
Roberts, Sir John H. (Denbighs.)  
Robertson, Sir G. Scott (Bradford)

Robertson, J. M. (Tyneside)  
Robinson, S.  
Roch, Walter F. (Pembroke)  
Roe, Sir Thomas  
Rogers, F. E. Newman  
Rose, Charles Day  
Rowlands, J.  
Runciman, Rt. Hon. Walter  
Russell, Rt. Hon. T. W.  
Rutherford, V. H. (Brentford)  
Samuel, Herbert L. (Cleveland)  
Samuel, S. M. (Whitechapel)  
Scarisbrick, T. T. L.  
Schwann, C. Duncan (Hyde)  
Scott, A. H. (Ashton-under-Lyne)  
Sears, J. E.  
Seaverns, J. H.  
Seddon, J.  
Seely, Colonel  
Shackleton, David James  
Shaw, Charles Edw. (Stafford)  
Sherwell, Arthur James  
Shipman, Dr. John G.  
Silcock, Thomas Ball  
Simon, John Allsebrook  
Sinclair, Rt. Hon. John  
Smeaton, Donald Mackenzie  
Snowden, P.  
Soares, Ernest J.  
Spicer, Sir Albert  
Stanley, Albert (Staffs, N.W.)  
Stanley, Hn. A. Lyulph (Chesh.)  
Steadman, W. C.  
Stewart, Halley (Greenock)  
Stewart-Smith, D. (Kendal)  
Straus, B. S. (Mile End)  
Summerbell, T.  
Sutherland, J. E.  
Taylor, Theodore C. (Radcliffe)  
Thomas, Sir A. (Glamorgan, E.)  
Thomas, David Alfred (Merthyr)  
Thomasson, Franklin

Thompson, J. W. H. (Somerset, E.)  
Thorne, G. R. (Wolvehampton)  
Tomkinson, James  
Trevelyan, Charles Philips  
Ure, Alexander  
Verney, F. W.  
Walker, H. De R. (Leicester)  
Walsh, Stephen  
Walton, Joseph  
Ward, John (Stoke-upon-Trent)  
Wardle, George J.  
Waring, Walter  
Wason, Rt. Hn. E. (Clackmannan)  
Wason, John Cathcart (Orkney)  
Waterlow, D. S.  
Watt, Henry A.  
White, Sir George (Norfolk)  
White, J. D. (Dumbartonshire)  
White, Luke (York, E.R.)  
Whitehead, Rowland  
Whitley, John Henry (Halifax)  
Whittaker, Rt. Hn. Sir Thomas P.  
Wiles, Thomas  
Williams, J. (Glamorgan)  
Williams, Llewelyn (Carmarthen)  
Williams, Osmond (Merioneth)  
Williamson, A.  
Wills, Arthur Walters  
Wilson, Hon. G. G. (Hull, W.)  
Wilson, Henry J. (York, W.R.)  
Wilson, John (Durham, Mid)  
Wilson, J. W. (Worcestersh. N.)  
Wilson, P. W. (St. Pancras, S.)  
Wilson, W. T. (Westhoughton)  
Winfrey, R.  
Wood, T. M'Kinnon  
Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
Joseph Pease and Master of  
Elibank.

# NOES.

Anson, Sir William Reynell  
Anstruther-Gray, Major  
Arkwright, John Stanhope  
Ashley, W. W.  
Aubrey-Fletcher, Rt. Hn. Sir H.  
Bacarras, Lord  
Baldwin, Stanley  
Balfour, Rt. Hn. A. J. (City Lond)  
Banbury, Sir Frederick George  
Banner, John S. Harwood-  
Baring, Capt. Hn. G. (Winchester)  
Beach, Hn. Michael Hugh Hicks  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Brotherton, Edward Allen  
Butcher, Samuel Henry  
Campbell, Rt. Hon. J. H. M.  
Carlile, E. Hildred  
Carson, Rt. Hon. Sir Edw. H.  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord John P. Joicey-  
Cecil, Lord R. (Marylebone, E.)  
Chamberlain, Rt. Hn. J. A. (Worc.)  
Clark, George Smith  
Clive, Percy Archer

Coates, Major E. F. (Lewisham)  
Courthope, G. Loyd  
Craig, Charles Curtis (Antrim, S.)  
Craig, Captain James (Down, E.)  
Craik, Sir Henry  
Dixon-Hartland, Sir Fred Dixon  
Doughty, Sir George  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Faber, George Denison (York)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.  
Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Gooch, Henry Cubitt (Peckham)  
Goulding, Edward Alfred  
Gretton, John  
Guinness, Hon. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Haddock, George B.  
Hamilton, Marquess of  
Harris, Frederick Leverton  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Helmsley, Viscount

Hill, Sir Clement  
Hills, J. W.  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Hunt, Rowland  
Kerry, Earl of  
Keswick, William  
Kimber, Sir Henry  
King, Sir Henry Seymour (Hull)  
Lane-Fox, G. R.  
Law, Andrew Bonar (Dulwich)  
Lee, Arthur H. (Hants, Fareham)  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Lowe, Sir Francis William  
Lyttelton, Rt. Hon. Alfred  
MacCaw, William J. MacGeagh  
M'Calmont, Colonel James  
Marks, H. H. (Kent)  
Mason, James F. (Windsor)  
Meysey-Thompson, E. C.  
Mildmay, Francis Bingham  
Moore, William  
Morpeth, Viscount  
Morrison-Bell, Captain  
Nicholson, Wm. G. (Petersfield)  
Oddy, John James  
Parker, Sir Gilbert (Gravesend)

Pease, Herbert Pike (Darlington)  
Percy, Earl  
Powell, Sir Francis Sharp  
Randles, Sir John Scurrah  
Ratcliffe, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Ropner, Colonel Sir Robert  
Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Salter, Arthur Clavell

Sheffield, Sir Berkeley George D.  
Smith, Abel H. (Hertford, East)  
Smith, F. E. (Liverpool, Walton)  
Stanier, Beville  
Starkey, John R.  
Staveley-Hill, Henry (Staff'sh.)  
Stone, Sir Benjamin  
Talbot, Lord E. (Chichester)  
Thomson, W. Mitchell (Lanark)  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Lionel  
Warde, Col. C. E. (Kent, Mid.)  
Whitbread, Howard

Williams, Col. R. (Dorset, W.)  
Willoughby de Eresby, Lord  
Wilson, Stanley A. (York, E. R.)  
Winterton, Earl  
Wortley, Rt. Hon. C. B. Stuart  
Wyndham, Rt. Hon. George  
Young, Samuel  
Younger, George

TELLERS FOR THE NOES—  
Sir Alexander Acland-Hood  
and Mr. Foster.

Clause 7 :

Amendment proposed—

"In page 5, line 10, to leave out the words 'extinguishing the licences accordingly,' and to insert the words 'if application is made for the renewal of any such licence, by refusing to renew the licence under the powers contained in the Licensing Acts, 1828 to 1906, in accord-

ance with the provisions of those Acts.'"—  
(*Sir S. Evans.*)

Question put, and agreed.

Question put, "That Clause 7, as amended, stand part of the Bill."

The Committee divided :—Ayes, 302;  
Noes, 120. (Division List No. 282.)

#### AYES.

Abraham, William (Rhondda)  
Agar-Robartes, Hon. T. C. R.  
Agnew, George William  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armitage, R.  
Armstrong, W. C. Heaton  
Ashton, Thomas Gair  
Asquith, Rt Hon. Herbert Henry  
Astbury, John Meir  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Sir John E. (Somerset)  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Beck, A. Cecil  
Benn, Sir J. Williams (Devonport)  
Benn, W. (Tw'r Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romford)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Bramson, T. A.  
Branch, James  
Bright, J. A.  
Brooke, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Burnyeat, W. J. D.  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hon. Sydney Charles  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.

Causton, Rt. Hn. Richard Knight  
Cawley, Sir Frederick  
Chance, Frederick William  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Cleland, J. W.  
Clough, William  
Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Corbett, CH (Sussex, E. Grinst'd)  
Cornwall, Sir Edwin A.  
Cory, Sir Clifford John  
Cotton, Sir H. J. S.  
Craig, Herbert J. (Tynemouth)  
Crooks, William  
Crossfield, A. H.  
Crossley, William J.  
Curran, Peter Francis  
Dalziel, James Henry  
Davies, Ellis William (Eifion)  
Davies, M. Vaughan (Cardigan)  
Davies, Timothy (Fulham)  
Davies, Sir W. Howell (Bristol, S.)  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Edwards, Clement (Denbigh)  
Edwards, Enoch (Hanley)  
Ellis, Rt. Hon. John Edward  
Erskine, David C.  
Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Fiennes, Hon. Eustace  
Findlay, Alexander  
Foster, Rt. Hon. Sir Walter  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gill, A. H.

Gladstone, Rt. Hn. Herbert John  
Glen-Coats, Sir T. (Renfrew, W.)  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Greenwood, G. (Peterborough)  
Greenwood, Hamar (York)  
Grey, Rt. Hon. Sir Edward  
Gulland, John W.  
Gurdon, Rt Hn. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Hall, Frederick  
Harcourt, Rt. Hn. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardie, J. Keir (Merthyr Tydvil)  
Hardy, George A. (Suffolk)  
Hart-Davies, T.  
Harvey, A. G. C. (Rochdale)  
Harvey, W. E. (Derbyshire, N. E.)  
Harwood, George  
Haslam, James (Derbyshire)  
Hedges, A. Paget  
Helme, Norval Watson  
Henderson, Arthur (Durham)  
Henderson, J. M. (Aberdeen, W.)  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon. S.)  
Higham, John Sharp  
Hobart, Sir Robert  
Hobhouse, Charles E. H.  
Hodge, John  
Holt, Richard Durning  
Hooper, A. G.  
Horniman, Emalie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Hudson, Walter  
Hyde, Clarendon  
Issacs, Rufus Daniel  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Johnson, John (Gateshead)  
Johnson, W. (Nuneaton)  
Jones, Leif (Appleby)  
Jones, William (Carnarvonshire)

Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, V.)  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn A C. (Kincard)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)

O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Philipps, Col. Ivor (S'tham-ton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Bradfr'd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John

Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N.W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Trevelyan, Charles Philips  
 Ure, Alexander  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E.R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W.R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

### NOES.

Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Baring, Capt. Hn. G. (Winchester)  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase

Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc)

Clark, George Smith  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)

Far dell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hn. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt. Hn. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)

Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Calmont, Colonel James  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Meysey-Thompson, E. C.  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James  
 Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Ropner, Colonel Sir Robert  
 Rutherford, John (Lancashire)

Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Stafford)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell (Lanark)  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Med.)  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hn. C. B. Stearns  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—  
 Alexander Acland-Hood and  
 Mr. Forster.

### Clause 8 :

#### Amendment proposed—

“ In page 5, line 22, after the word ‘ shall,’  
 to insert the words ‘ after considering any  
 representations made with respect to the  
 matter by persons appearing to the Commission  
 to be interested.’ ”—(Sir S. Evans.)

Question put, and agreed to.

#### Amendment proposed—

“ In page 5, line 23, at end, to insert the  
 words ‘ but where an old on-licence is so declared

invalid, the provisions of this Act relating to  
 the payment of compensation shall have effect  
 as if the renewal of the licence had been refused  
 by the licensing justices.’ ”—(Sir S. Evans.)

Question put, and agreed to.

Question put, “ That Clause 8, as  
 amended, stand part of the Bill.”

The Committee divided :—Ayes, 297 ;  
 Noes, 119. (Division List No. 283.)

### AYES.

Abraham, William (Rhondda)  
 Agar-Robartes, Hon. T. C. R.  
 Agnew, George William  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armitage, R.  
 Armstrong, W. C. Heaton  
 Ashton, Thomas Gair  
 Asquith, Rt. Hn. Herbert Henry  
 Astbury, John Meir  
 Baker, Joseph A. (Finsbury, E.)  
 Balfour, Robert (Lanark)  
 Baring, Godfrey (Isle of Wight)  
 Barlow, Sir John E. (Somerset)  
 Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.

Beauchamp, E.  
 Beck, A. Cecil  
 Benn, Sir J. Williams (Devonp'rt)  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Romf'd)  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Bright, J. A.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Byles, William Pollard

Cameron, Robert  
 Carr-Gomm, H. W.  
 Causton, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Cleland, J. W.  
 Clough, William  
 Clynes, J. R.  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, C. H. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cory, Sir Clifford John  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crooka, William



Crossfield, A. H.  
 Crossley, William J.  
 Curran, Peter Francis  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Ellis, Rt. Hon. John Edward  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)

Johnson, W. (Nuneaton)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonsh.)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelly, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Lupton, Arnold  
 Lyell, Charles Henry  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macpherson, J. T.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 Mallet, Charles E.  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Money, L. G. Chiozza  
 Montagu, Hon. E. S.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, Sir W. D. (Colchester)  
 Pearson, W. H. M. (Suffolk, Eye)

Philipps, Col. Ivor (S'thampton)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinburgh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Rendall, Athelstan  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, Sir G. Scott (Brad'rd)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Severns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Charles Edw. (Stafford)  
 Sherwell, Arthur James  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Straus, B. S. (Mile End)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thompson, J. W. H. (Somerset, E)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Trevelyan, Charles Philips

Ure, Alexander  
 Verney, F. W.  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wardle, George J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 White, Sir George (Norfolk)

White, J. D. (Dumbartonshire)  
 White, Luke (York, E.R.)  
 Whitehead, Rowland  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W.R.)

Wilson, John (Durham, Mid)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn. Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harmood-  
 Baring, Capt. Hn. G. (Winchester)  
 Beach, Hn. Michael Hugh Hicks  
 Beckett, Hon. Gervase  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Butcher, Samuel Henry  
 Campbell, Rt. Hon. J. H. M.  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord John P. Joicey-  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc.)  
 Clark, George Smith  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Doughty, Sir George  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey

Fletcher, J. S.  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S. Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Harris, Frederick Leverton  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Helmsley, Viscount  
 Hill, Sir Clement  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kennaway, Rt. Hn. Sir John H.  
 Kerry, Earl of  
 Keswick, William  
 Kimber, Sir Henry  
 King, Sir Henry Seymour (Hull)  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 MacCaw, William J. MacGeagh  
 M'Calmont, Colonel James  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Mildmay, Francis Bingham  
 Moore, William  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Oddy, John James

Parker, Sir Gilbert (Gravesend)  
 Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Ratcliffe, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Ropner, Colonel Sir Robert  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur Clavell  
 Sheffield, Sir Berkeley George D.  
 Smith, Abel H. (Hertford, East)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staff'sh.)  
 Stone, Sir Benjamin  
 Talbot, Lord E. (Chichester)  
 Thomson, W. Mitchell (Lanark)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E.R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart,  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES.—  
 Sir Alexander Acland-Hood  
 and Mr. Forster.

And, it being after Eleven of the Clock,  
 the CHAIRMAN left the Chair to make  
 his Report to the House.

Committee report Progress; to sit  
 again To-morrow.

Whereupon Mr. SPEAKER, pursuant  
 to the Order of the House of 31st July,  
 adjourned the House without Question  
 put.

Adjourned at Sixteen minutes  
 after Eleven o'clock.

HOUSE OF LORDS.

Thursday, 22nd October, 1908.

PETITION.

CHILDREN BILL.

Petition against; of the provost, magistrates, and councillors of the burgh of Greenock; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

SOUTH AFRICA.

Correspondence and Returns as to retrenchments in the Transvaal and Orange River Colony Public Services and the South African Constabulary and Central South African Railways Administration within the period 1st July, 1903, to 30th June, 1908.

INDIA.

Report of the Royal Commission on Decentralisation, with appendices, Vol. 1; Minutes of Evidence taken at Madras, Vol. 2; in Burma, Vol. 3; in Bengal, Vol. 4; in Eastern Bengal and Assam, Vol. 5; in the Central Provinces, Vol. 6; in the United Provinces, Vol. 7; in Bombay and Sind, Vol. 8; in Baluchistan, the North-West Frontier Province, and the Punjab. Vol. 9; Minutes of Evidence taken by Imperial Inspectors-General and Secretaries to the Government of India, Vol. 10.

IRISH LAND COMMISSION.

Return of advances made under the Irish Land Act, 1903, during the month of January, 1908.

Presented (by command), and ordered to lie on the Table.

HOUSING OF THE WORKING CLASSES (IRELAND) BILL.

Order of the day for the House to be put into Committee, read.

VOL. CXCIV. [FOURTH SERIES.]

Moved, "That the House do now resolve itself into Committee."—(Lord Denman.)

On Question, Motion agreed to.

House in Committee accordingly.

[The Earl of ONSLOW in the Chair.]

Clauses 1 and 2 agreed to

Clause 3:

LORD DENMAN explained that the clause as it stood enabled local authorities to re-borrow for the purpose of paying off loans raised under the Housing of the Working Classes Act. The object of the Amendment standing in his name was to provide that where money was so borrowed under the clause it must be repaid within the period fixed for the discharge of the original loan.

Amendment moved—

"In page 2, line 19, after the word 'section,' to insert the words, '(2) All money re-borrowed under this section shall be repaid within the period fixed for the discharge of the original loan, and every loan for re-borrowing shall, for the purpose of the ultimate discharge, be deemed to form part of the same loan as the original loan, and the obligations of the local authority with respect to the discharge of the original loan shall not be in any way effected by means of the re-borrowing.'"—(Lord Denman.)

LORD ASHBOURNE thought it would have been a blot on the Bill if this Amendment had not been introduced, as local authorities would have been enabled to re-borrow *ad infinitum* without paying off their debts. The Amendment would ensure that whenever there was re-borrowing the new loan would be repaid within the time of the original loan. That was an important matter, and the Amendment had his support.

THE EARL OF MAYO said the Return which the Irish Office had just prepared at his instigation showed that some towns in Ireland had borrowed enormous sums, and had paid very little of it off. He thought it was important that the Government should consider the indebtedness of these towns before extending further borrowing powers to them.

LORD DENMAN replied that the Committee were at the moment on a different point altogether. The object of the present Amendment was to provide that where money was re-borrowed it must be repaid within the same time as that fixed for the original loan.

On Question, Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Clause 5 :

LORD DENMAN explained that the object of his first Amendment in this clause was to insert a reference to the provisions of Section 238 of the public Health Act, which regulated the method in which local authorities were to provide annually for the repayment of loans.

Amendment moved—

“In page 3, line 20, after the word ‘is’ to insert the words ‘in accordance with the provisions of subsection 4 of Section 238 of the Public Health (Ireland) Act, 1878, as amended by this Act,’”—(*Lord Denman.*)

On Question, Amendment agreed to.

Amendment moved—

“In page 3, line 20, after the word ‘pay’ to insert the words ‘or to set apart.’”—(*Lord Denman.*)

THE LORD CHAIRMAN: Is this a consequential Amendment?

THE CHANCELLOR OF THE DUCHY (LORD FITZMAURICE) explained that the words “or to set apart” were technical words used to describe a particular form of repayment.

On Question, Amendment agreed to.

Drafting Amendment agreed to.

LORD DENMAN said the object of his next Amendment was to provide that local authorities were to obtain the benefit of the Irish Housing Fund in the case only of loans raised after the passing of this Bill.

Amendment moved—

“In page 3, line 34, after the word ‘authority’ to insert the words ‘(3) In ascertaining the amount of the annual housing charge of any

local authority, no account shall be taken of any sums payable or liable to be set apart by the authority in respect of moneys re-borrowed for the discharge of loans raised before the passing of this Act.”—(*Lord Denman.*)

LORD ASHBOURNE invited the noble Lord in charge of the Bill to state to the Committee the scheme of Amendment. It would be convenient, for instance, if the Committee could be informed what limitation it was intended should be put on towns that were to be entitled to the benefit of the Bill. He imagined that it was not intended that every town under town commissioners, no matter how small its population or size, should be given the great powers contained in this Bill. He knew of one town under commissioners which contained a population of only 1,100 or 1,200. He believed there was a subsequent Amendment dealing with that point. Perhaps the noble Lord would explain.

LORD DENMAN suggested that the noble and learned Lord should raise the point when they came to the Amendment in question.

LORD ASHBOURNE said it would be a great convenience in the discussion of the Bill to have an answer to that important and plain question which he had asked. The point must have been considered by the Government. Was it intended that all towns under town commissioners, without any limitation, were to be given these large discretionary powers? If the noble Lord was not prepared now to reply, he would not press for an immediate answer.

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 :

Drafting Amendments agreed to.

VISCOUNT MIDLETON moved to omit the words “and authorising the compulsory purchase of land for the purpose.” The tendency of a great deal of legislation, both in respect to this country and to Ireland, in the course of the last few



years had been towards taking power out of the hands of Parliament and concentrating it in the Local Government Board. He was not at all certain that those who had had most to do with municipal work did not feel that that tendency had been too pronounced, and that powers had been placed in the hands of the Local Government Board which might with better results have been left in the hands of Parliament. But quite certain it was that this clause went far beyond anything which had been hitherto sanctioned by Parliament with regard to Great Britain in placing it in the power of the Local Government Board to take land, and to authorise the taking of land, against the wish of the landowners, for the housing of the working classes. The English Act of 1890 required the confirmation by Parliament of any Provisional Order made under the Act, and frivolous opposition was prevented by a special subsection. In 1903 the British Act went further. It gave to the Local Government Board additional powers, but it specially reserved and limited those powers to cases where land was not to be compulsorily acquired. If compulsory acquisition were involved due notice of the draft order had to be issued, and the draft order only took effect if no opposition were offered against it. The Amendment he proposed would bring the wording of this Bill into accord with that of the Act of 1903 for England. He knew no valid reason for a distinction between Great Britain and Ireland in this matter. This work could not be so imperative that it was impossible to come to Parliament for the confirmation of a Provisional Order. If it were a question of a scheme for national defence one could imagine that expedition would be of the first order.

#### Amendment moved—

"In page 4, lines 8 and 9, to leave out the words 'and authorising the compulsory purchase of land for the purpose.'"—(*Viscount Middleton.*)

LORD DENMAN said he knew of several precedents for the Local Government Board having the power asked for without coming to Parliament. Under Section 39 of the Act of 1890 and under the Irish Labourers Act of 1906 the Local Government Board were empowered to confirm an Order made by their

Inspector after full inquiry, without going to Parliament. He could further state that since the passing of the Act of 1890 there had never been any opposition to an Order made by the Local Government Board of Ireland for purposes such as these. Surely if for seventeen years the Local Government Board had exercised their powers so efficiently it was right to infer that they would do as equally well in the future. The objection to having to come to Parliament was not only one of expense; there was also the question of delay. In order to get a Provisional Order Bill through Parliament it had to be presented at a particular period of the year—namely, in the autumn. If the Amendment of the noble Viscount were introduced a local authority, which perhaps might require compulsory powers immediately, would not be able to put their Provisional Order before Parliament until next autumn, and it would not pass into law until, he supposed, the following May or June; that was to say, they would have to wait for a year and a half at least for a thing which ought, if it were a good thing, to be done in a very few months. Moreover, there would always be a possibility of a petition against the Order, which would necessitate further delay. Therefore, the Amendment, if carried, would practically neutralise the benefit of the clause and render it almost worthless. If the noble Viscount pressed the Amendment he would have to divide the Committee upon it.

LORD ASHBOURNE was not sure that the noble Lord was quite correct in saying there was an exact parallel in existing legislation. He did not think there was. An Order of the Local Government Board was, he knew, given great power under former Acts, but the Order was one which had been reviewed and confirmed by the Local Government Board itself. That was here expressly excluded by the wording of the clause. The words were that the Order should take effect—

"Without confirmation by Parliament or by the Local Government Board."

The confirmation might be a mere technical form of approval by the Local Government Board, but this check should not be omitted.

\*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): This is a question on which I quite admit some doubt is legitimate. It is, no doubt, as a general rule, the custom, and the approved custom, that where land is taken compulsorily, power for doing so should only be given by Parliament; but my noble friend behind me pointed out, I think with considerable force, that in cases of this kind, there is a very real inconvenience in the delay which may ensue. It is not only that delay ensues in cases where a petition is presented, but the possibility that a petition may be presented causes a similar delay to take place in every case. It is only during the short period in which petitions of this kind may be lodged before Parliament that any operations under the Act can take place. The noble and learned Lord has made a somewhat alternative suggestion. I gather from what he said that he would not be entirely discontented if the review of the Local Government Board were substituted for consideration by Parliament. I think that is a point well worthy of consideration, and if the noble and learned Lord will allow the matter to stand over until the Report stage we might see whether an arrangement can be arrived at on that head.

THE EARL OF MAYO failed to see the need of such great hurry in the matter, and why the control of Parliament should be removed. This was not a Government Bill; it had been introduced by Mr. Clancy, a Nationalist M.P., and they looked upon it with some doubt on that account. In the

circumstances he could not undertake the argument as to the need for such great expedition.

LORD FITZMAURICE said that, as he remembered rightly, there was some special machinery in the Small Holdings Act of last year altering the usual procedure in regard to the compulsory taking or hiring of land. He did not say that it was altogether *in pari materia*, but he mentioned it as showing that the question was a complicated one, and had to be examined according to the circumstances of each country, and according to the subject-matter with which the Act dealt. He urged that as a reason for what his noble friend the Leader of the House had suggested, that the Government should be allowed to make some further examination of the question, and see whether an arrangement could not be arrived at.

VISCOUNT MIDLETON declared his intention of pressing the Amendment. The point was an important one, as a series of precedents were being built up for withdrawing from Parliament control in the matter of the compulsory acquisition of land. If the question was one of expedition he could cite several instances in London where large sums were spent on working-class houses which were now found to be unlettable.

On Question, that the words "and authorising the compulsory purchase of land for the purpose" stand part of the clause.

Their Lordships divided:—Contents, 28; Not-contents, 61.

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Chichester, E.  
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Althorp, V. (L. Chamberlain.)

Allendale, L.

Colebrooke, L. [Teller.]

Courtney of Penwith, L.

Denman, L.

Eversley, L.

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 Weymss, L. (*E. Wemyss.*)

Consequential Amendments agreed to.

VISCOUNT MIDLETON moved the insertion of two paragraphs which he explained were consequential upon the Amendment to which the Committee had just agreed.

Amendment moved—

“In page 4, line 14, after the word ‘Board’ to insert the words ‘(a) if land is not proposed to be taken compulsorily; or (b) if, although land is proposed to be taken compulsorily, the Local Government Board, before making an absolute order, are satisfied that notice of the draft or provisional order, as the case may be, has been served as required as respects a provisional order by subsection (5) of section (8) of the Act of 1890, and also that the draft or provisional order, as the case may be, has been published in the *Dublin Gazette*, and that a petition against it has not been presented to the Local Government Board by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the service of notice, or, having been so presented, has been withdrawn.’”—  
 (*Viscount Middleton.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

VISCOUNT MIDLETON said the object of the two new subsections which he now moved was to carry out the purport of the English Act, to which the clause was now assimilated.

Amendment moved—

“In page 4, line 24, after subsection (3) to insert the words ‘(4) If an order under subsection (4) of Section 8, or under Section 39 of the Act of 1890, which, if no petition were presented, would take effect without confirmation, is petitioned against, the Local Government Board may, if it thinks fit, on

the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner, and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme. (5) The same procedure shall be followed as to the publication and giving notices, and the same provisions shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order.’”—  
 (*Viscount Middleton.*)

On Question, Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7:—

\*THE EARL OF PEMBROKE AND MONTGOMERY moved the omission of the clause. The clause, he said, enabled local authorities to go beyond their own district in order to acquire land, and to build upon that land dwellings for the working classes. The Bill also proposed to follow the lines of the English Act of 1903, and allow municipal bodies to exceed their borrowing power limits and spend the rate-payers' money in erecting these dwellings. He thought it was enough to allow local authorities to exercise the large powers which the Bill gave them within their own districts. Surely it would not be fair to permit the Corporation of Dublin to acquire land and build houses in Rathmines or Pembroke against the wishes of the local authorities of these

and they desired the Local Government Board in Ireland to be, as in England, the supreme authority.

Amendment moved—

“ In page 5, line 23, after the word ‘ may ’ to insert the words ‘ with the consent of the Local Government Board. ’ ”—(*The Earl of Mayo.*)

LORD DENMAN said the Amendment was an improvement of the Bill, and he was glad to accept it.

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 :

LORD ASHBOURNE moved to omit Clause 9 (Remission and abatement of rates in certain cases). He said this unprecedented proposal was that a local authority which desired to apply this Bill might remit for ten years the rates payable in respect of these working-class dwellings to be erected in the future. He ventured to say that the oldest and most experienced member of their Lordships' House could not recall any precedent for such a clause. It was novel and startling. The clause also provided that—

“ if at any time any such premises are let to or occupied by other persons than such as aforesaid [persons of the working classes], or at rents not sanctioned as aforesaid, then in every such case any rates so remitted or, as the case may be, the balance of any rates so abated as aforesaid, shall be and become a charge upon the owner's interest in such premises.”

Yet the owner might have had no voice as to the persons who should occupy the premises. He mentioned this in order to call attention to the utterly indefensible way in which the clause was drawn. There was no application to an independent tribunal ; the decision as to whether the buildings had been occupied by people who did not come within the definition of working classes would rest with the local authority. He put his opposition to the clause on the broad ground that it would be unwise and unjust in the last degree to give the local authority the power

*The Earl of Mayo.*

to remit rates in advance on certain property regardless of the rights of other ratepayers.

Amendment moved—

“ To leave out Clause 9. ”—(*Lord Ashbourne.*)

LORD DENMAN thought that a good many provisions that had found a place in Irish Acts of Parliament might have been described as novel and startling. The object of the clause was to offer an inducement to private owners to undertake the erection of what might be unremunerative dwellings. He submitted that ample safeguards against the abuse of the powers conferred by the clause were provided. It applied only to dwellings erected after the passing of the Act. The rent of the dwellings must be sanctioned by the local authority, who in their turn were required to get the consent of the Local Government Board. In the Second Reading debate, Lord Mayo stated that the Local Government Board was one of the best administered departments in Ireland. Surely they could be trusted to see that the provisions of this clause were not abused or taken undue advantage of. However, if the noble and learned Lord persisted in his objection to the clause, the Government did not propose to put the House to the trouble of a division, although they could not assent to the Amendment.

LORD ATKINSON said the effect of the clause was this, that the local authority was to raise money from other portions of the community in order to give a grant in aid of the rents of the working classes. That was a most extraordinary and far-reaching principle. The consent of the Local Government Board had to be obtained to the remission of rates, but the local authority could, at any time it pleased, after the remission had gone on for a certain period, come to the conclusion that the houses had been let to persons other than members of the working class, of which class there was no definition, and, thereupon, all the rates purported to be remitted could be recovered from the owner of the property, and the local authority itself was to decide whether or not the houses had been occupied by persons not belonging



to the working-classes. He would like to know whether any precedent for that could be found, not only in Irish legislation, but in the legislation of any other civilised country. The owner might have had no power to regulate or determine who were to occupy the houses, which might be in the tenancy of some lessee. He contended that the clause was unjust in every line.

\*THE MARQUESS OF LANSDOWNÉ: I gathered from the noble Lord who has charge of the Bill that His Majesty's Government will not press this clause if we insist upon its omission. I am bound to say, after listening to the discussion which has taken place, that I hope my noble and learned friend will press his Amendment. The clause seems to me to be a most dangerous one. It comes to this, that immunity from rates is to be given to certain premises which are to be provided for the housing of the working classes. Of course, it follows that the rates which are not paid upon those premises will have to be paid by the other ratepayers. That is an initial injustice. Look how the whole of this arrangement lends itself to jobbery—and we all know—let us be frank about it—that in these Irish municipalities there is a great deal of jobbery. This proposal facilitates jobbery of a most dangerous kind. We are told: "Oh there is a safeguard. The support of the Local Government Board is indispensable before this immunity from rates can be afforded." I venture to doubt whether this is any safeguard at all. The Local Government Board will have to administer the clause as they find it. The clause itself is radically unsound, and whether the Local Government Board allow it to be applied in all cases or only in a few, I submit that its application is essentially unjust. There is one effect which the introduction of this proposed system cannot fail to have. It must act as a great discouragement to private enterprise in the provision of better accommodation for the working classes. How can you expect anyone to put up on an economic basis improved cottages for housing the working classes if he is liable to find other houses erected by the local authority side by side with

his, and let at rents artificially reduced under this clause? I have not lately had an opportunity of referring to the document, but some of your Lordships may carry in your minds the famous Report of the Royal Commission on the Poor Law in 1832. I believe I am right in saying that in that Report the strongest possible condemnation is to be found of all proposals to give immunity from rates to certain premises merely because they were intended for the accommodation of the working classes. All sound economic authorities have set their face against proposals of this kind. Therefore, if my noble and learned friend presses for the deletion of this clause I shall support him.

On Question, Amendment agreed to.

Clause 10:

\*LORD CLONBROCK moved to omit the clause with a view to substituting other words which would assimilate the law to that in England. In England, after a closing order has been obtained, there must be continued default, a further summons by the local authority, and adjudication thereon by the justices, before a demolition order can be made. He failed to see any reason why local authorities in Ireland should be given more drastic powers in regard to closing and demolition orders than were given to local authorities in England.

Amendment moved—

"To leave out Clause 10 and to insert as a new clause, '10. (1) If, in the opinion of the local authority, any dwelling house is not reasonably capable of being made fit for human habitation, or is in such a state that the occupation thereof should be immediately discontinued it shall not be necessary for them, before obtaining a closing order, to serve a notice on the owner or occupier of the premises to abate the nuisance, and a justice may issue a summons for a closing order, and a closing order may be granted, although such a notice has not been served. (2) The Local Government Board may by order prescribe forms in substitution for those in the Fourth Schedule to the Act of 1890, and Section 32 of that Act shall have effect as if the forms so prescribed were referred to therein in lieu of the forms in that Schedule.' "

—(Lord Clonbrock.)

LORD FITZMAURICE explained that the object was to get rid of delay that

and they desired the Local Government Board in Ireland to be, as in England, the supreme authority.

Amendment moved—

“In page 5, line 23, after the word ‘may’ to insert the words ‘with the consent of the Local Government Board.’”—(*The Earl of Mayo.*)

LORD DENMAN said the Amendment was an improvement of the Bill, and he was glad to accept it.

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 :

LORD ASHBOURNE moved to omit Clause 9 (Remission and abatement of rates in certain cases). He said this unprecedented proposal was that a local authority which desired to apply this Bill might remit for ten years the rates payable in respect of these working-class dwellings to be erected in the future. He ventured to say that the oldest and most experienced member of their Lordships’ House could not recall any precedent for such a clause. It was novel and startling. The clause also provided that—

“if at any time any such premises are let to or occupied by other persons than such as aforesaid [persons of the working classes], or at rents not sanctioned as aforesaid, then in every such case any rates so remitted or, as the case may be, the balance of any rates so abated as aforesaid, shall be and become a charge upon the owner’s interest in such premises.”

Yet the owner might have had no voice as to the persons who should occupy the premises. He mentioned this in order to call attention to the utterly indefensible way in which the clause was drawn. There was no application to an independent tribunal; the decision as to whether the buildings had been occupied by people who did not come within the definition of working classes would rest with the local authority. He put his opposition to the clause on the broad ground that it would be unwise and unjust in the last degree to give the local authority the power

*The Earl of Mayo.*

to remit rates in advance on certain property regardless of the rights of other ratepayers.

Amendment moved—

“To leave out Clause 9.”—(*Lord Ashbourne.*)

LORD DENMAN thought that a good many provisions that had found a place in Irish Acts of Parliament might have been described as novel and startling. The object of the clause was to offer an inducement to private owners to undertake the erection of what might be unremunerative dwellings. He submitted that ample safeguards against the abuse of the powers conferred by the clause were provided. It applied only to dwellings erected after the passing of the Act. The rent of the dwellings must be sanctioned by the local authority, who in their turn were required to get the consent of the Local Government Board. In the Second Reading debate, Lord Mayo stated that the Local Government Board was one of the best administered departments in Ireland. Surely they could be trusted to see that the provisions of this clause were not abused or taken undue advantage of. However, if the noble and learned Lord persisted in his objection to the clause, the Government did not propose to put the House to the trouble of a division, although they could not assent to the Amendment.

LORD ATKINSON said the effect of the clause was this, that the local authority was to raise money from other portions of the community in order to give a grant in aid of the rents of the working classes. That was a most extraordinary and far-reaching principle. The consent of the Local Government Board had to be obtained to the remission of rates, but the local authority could, at any time it pleased, after the remission had gone on for a certain period, come to the conclusion that the houses had been let to persons other than members of the working class, of which class there was no definition, and, thereupon, all the rates purported to be remitted could be recovered from the owner of the property, and the local authority itself was to decide whether or not the houses had been occupied by persons not belonging

be contended that the provision of workmen's dwellings in urban districts was not even more necessary than in rural areas. He therefore hoped their Lordships would consent to the larger sum of £100 remaining in the Bill.

LORD ATKINSON said it was quite right that where only a small plot of ground was sold and the purchase money was a small sum, the expense of having to pay it into Court should not be incurred. But the danger that Lord Mayo wished to guard against was that a limited owner, by selling a number of plots one after another, might succeed in receiving a very considerable sum in the aggregate, thus procuring for his own purposes what really represented a portion of the inheritance of which he was only the life owner. He thought the mischief could be guarded against by introducing the words "not to exceed in the aggregate a sum of £500," or some words to that effect.

\*THE EARL OF CREWE: I am impressed by the force of what has fallen from the noble and learned Lord, and it seems to me there may be need for inserting some safeguard of the kind he desires. It would certainly not be reasonable that a limited owner who had an estate of building land should be able to sell piecemeal and obtain the whole value for himself. At the same time, limiting the amount of each particular sale, as the noble Earl proposes, would not remove the difficulty, as the same process might be carried on on a more limited scale. If the noble Lord will leave the matter over till the Report stage we will consider the point in the meantime.

Amendment, by leave, withdrawn.

Clause 12 agreed to.

Clause 13:

\*THE EARL OF PEMBROKE AND MONTGOMERY said this clause was entirely without precedent. The first subsection provided that—

"Any body corporate may, notwithstanding any restriction arising by statute or otherwise, if they think fit, appropriate any land held

by them for any purpose for the provision by them of dwellings available for the working-classes, or transfer any land so held by them to any other person for the purpose of that provision, either by way of free grant or for such consideration and on such terms as they in their discretion think fit."

He proposed to strike out the word "notwithstanding," and to insert "subject to." Under the clause as it stood it would be very easy for a body of crank philanthropists, with the assistance of representatives of the working classes on the council, to make free gifts of property held on charitable and other trusts to form free sites for artisans' dwellings. This was an absolutely new proposal in legislation, and he proposed that these enormous powers should not be granted without a certain amount of restriction.

Amendment moved—

"In page 6, line 35, to leave out the word 'notwithstanding' and to insert the words 'subject to.'"—(*The Earl of Pembroke and Montgomery.*)

LORD DENMAN regretted that in this particular instance he was unable to quote any precedent for the clause as it stood; but, at the same time, he thought it was an important and necessary clause and one which should remain in the Bill. It was, as drawn, a wide clause: but Amendments stood on the Paper in his own name and that of Lord Meath, which the Government would accept, which would considerably restrict its operation. He was informed that the effect of the Amendment would inevitably be that the whole clause would be useless, and the noble Earl might just as well move its omission. The object of the clause—a perfectly reasonable one—was to remove restrictions and enable bodies corporate to divert land held by them from some particular purpose to that of the erection of dwellings available for the working classes. There would be considerable safeguards and restrictions.

\*THE EARL OF PEMBROKE AND MONTGOMERY asked what the safeguards were.

LORD DENMAN referred the noble Earl to the Amendments standing in his (Lord Denman's) name on the Paper. In

this case, again, the local authority would be subject to the control of the Local Government Board.

LORD ASHBOURNE could not see that the acceptance of the Amendment would necessarily kill the clause.

\*THE EARL OF CREWE: Will the noble and learned Lord explain what is to prevent a corporation or any other body taking land which is subject to no restrictions either by statute or otherwise?

LORD ASHBOURNE: I do not know.

\*THE EARL OF CREWE: In that case what would be the use of the clause?

\*THE EARL OF PEMBROKE AND MONTGOMERY intimated his willingness to agree to the deletion of the words "or otherwise."

LORD ATKINSON said it would be intolerable that local authorities should take property held on trust created by statute or deed for one purpose and devote it to an entirely different purpose.

\*THE LORD CHAIRMAN explained what he thought was the real object of the clause. When a local authority applied to Parliament to be enabled to acquire land for a particular purpose, and subsequently found that they did not require it for that purpose, they could not, without further powers, utilise it in any other way. He gathered that the real intention of the clause was that where an authority had acquired land for one purpose by statute they should have power to use it, if they desired to do so, for the erection of workmen's dwellings. He agreed that there should be a provision that local authorities should not take property held on trust.

\*THE EARL OF CREWE: I think we are all anxious that a clause of this kind should be arrived at by general agreement, because it clearly is important that we should safeguard land which ought not to be used for this purpose. What I should like to put to noble Lords opposite is this. Reading in the Amendment of the noble Earl on the cross benches,

*Lord Denman.*

Lord Meath, which we have announced our intention to accept, namely—

"Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, or any land held on trusts which prohibit building thereon—"

are there any other cases in which harm could be done to the public interests by the utilisation for working class dwellings of land in the possession of a municipality? Are there any lands held in trust by municipalities, other than those covered by Lord Meath's Amendment, which it would be contrary to the public interest to use for workmen's dwellings?

LORD ATKINSON said there were in Ireland instances of ground held for the purpose of hospitals; this would be alienable.

LORD FITZMAURICE suggested that a sufficient safeguard was offered by the second subsection, providing that the consent of the Local Government Board should be necessary. Could it possibly be imagined that the Local Government Board of Ireland would rashly give its consent to the improper alienation of land such as had been referred to? The clause was primarily intended to deal with such cases as had been described by the Lord Chairman. The Local Government Board could be relied upon to act in the protection of the public, and with the addition of the Amendment which Lord Meath would subsequently move there could be no serious risk of harm being done.

THE EARL OF MEATH thought the Local Government Board would often be placed in an awkward position in this matter. Very rightly the Local Government Board had been continually urging municipal authorities to expend money in housing working classes who were now improperly housed, and if a municipal authority had a site in their possession upon which they might build workmen's houses without much expense the Local Government Board would be placed in a very awkward position if they refused their consent. He would illustrate what he meant by an example. He owned property in the city of Dublin which was almost entirely covered by working-class



dwellings many of them erected in recent years. He had purposely reserved, at pecuniary loss to himself, some small open spaces adjoining for the purpose of playgrounds, and he had often been asked why he did not hand them over to the corporation of Dublin. He was thankful now that he had not done so, because with such a clause as this the result would be that his heirs would lose all the benefit from building upon that land and the people would lose the open space.

\*THE EARL OF PEMBROKE AND MONTGOMERY did not like parting with his Amendment, but would do so subject to words covering his point being added to Lord Meath's new subsection. He suggested that the words "which prohibit building thereon" should be deleted, and the words "for public or charitable purposes" substituted. That would meet a great deal of his objection to the clause as it stood.

\*THE EARL OF CREWE: It is rather difficult off-hand to give a decided and definite answer, but we would certainly agree to the insertion of those words now, subject to the matter being considered before the next stage.

\*THE EARL OF PEMBROKE AND MONTGOMERY: I understand the Government will accept Lord Meath's Amendment altered as I have suggested?

\*THE EARL OF CREWE: Yes, provisionally.

THE EARL OF PEMBROKE AND MONTGOMERY thereupon withdrew his Amendment.

Amendment, by leave, withdrawn.

LORD DENMAN explained that the object of his next Amendment, which came before Lord Meath's, was to restrict the operation of the clause. He did not suppose, therefore, that it would be objected to.

Amendment moved—

"In page 6, line 39, to leave out the word 'or' and to insert the words 'and where the body corporate is a local authority may let out any such land on lease as if the land had been acquired under and for the purposes of Part

III. of the Act of 1890, and where the body corporate is not a local authority may."—*(Lord Denman.)*

On Question, Amendment agreed to.

THE EARL OF MEATH then moved to insert in the clause his proposed new subsection. He was very pleased to know that His Majesty's Government intended to accept it, and therefore it would be unnecessary to detain the Committee by proving its necessity. He might say, however, that he was very much astonished that the Bill should be permitted to have gone so far without notice having been taken of this omission. He could only think that it must have been hurried through the other House, because for the past twenty-seven years at least the whole purport of our legislation with regard to open spaces had been to protect them. From the year 1881, when the Metropolitan Open Spaces Act passed for London, they went on to the year 1884 when disused burial grounds were protected, to 1887 when Ireland was included, and to 1890 when trustees were distinctly given power to perpetuate the use of open spaces. Then in 1899, when the Government of London was reconstituted, special care was taken in that statute to prevent the alienation of open spaces, and in 1906 the local authorities were especially told that they must look upon the open spaces as being held by them in trust—

"with a view to the enjoyment thereof by the public as open spaces and for no other purpose."

In the present Bill as it stood it was proposed to reverse all this legislation, but he was glad to know that His Majesty's Government were prepared to accept his Amendment. He could not help thinking, however, that the words which Lord Pembroke proposed to insert would rather weaken the subsection.

Amendment moved—

"In page 7, line 11, after subsection (3) to insert the following new subsection:—'(4) Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground or any land held on trusts which prohibit building thereon.'"—*(The Earl of Meath.)*

this case, again, the local authority would be subject to the control of the Local Government Board.

LORD ASHBOURNE could not see that the acceptance of the Amendment would necessarily kill the clause.

\*THE EARL OF CREWE: Will the noble and learned Lord explain what is to prevent a corporation or any other body taking land which is subject to no restrictions either by statute or otherwise?

LORD ASHBOURNE: I do not know.

\*THE EARL OF CREWE: In that case what would be the use of the clause?

\*THE EARL OF PEMBROKE AND MONTGOMERY intimated his willingness to agree to the deletion of the words "or otherwise."

LORD ATKINSON said it would be intolerable that local authorities should take property held on trust created by statute or deed for one purpose and devote it to an entirely different purpose.

\*THE LORD CHAIRMAN explained what he thought was the real object of the clause. When a local authority applied to Parliament to be enabled to acquire land for a particular purpose, and subsequently found that they did not require it for that purpose, they could not, without further powers, utilise it in any other way. He gathered that the real intention of the clause was that where an authority had acquired land for one purpose by statute they should have power to use it, if they desired to do so, for the erection of workmen's dwellings. He agreed that there should be a provision that local authorities should not take property held on trust.

\*THE EARL OF CREWE: I think we are all anxious that a clause of this kind should be arrived at by general agreement, because it clearly is important that we should safeguard land which ought not to be used for this purpose. What I should like to put to noble Lords opposite is this. Reading in the Amendment of the noble Earl on the cross benches,

*Lord Denman.*

Lord Meath, which we have announced our intention to accept, namely—

"Provided that nothing in this Act shall authorise the appropriation or utilisation for the purposes of the Act of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground, or any land held on trusts which prohibit building thereon—"

are there any other cases in which harm could be done to the public interests by the utilisation for working class dwellings of land in the possession of a municipality? Are there any lands held in trust by municipalities, other than those covered by Lord Meath's Amendment, which it would be contrary to the public interest to use for workmen's dwellings?

LORD ATKINSON said there were in Ireland instances of ground held for the purpose of hospitals; this would be alienable.

LORD FITZMAURICE suggested that a sufficient safeguard was offered by the second subsection, providing that the consent of the Local Government Board should be necessary. Could it possibly be imagined that the Local Government Board of Ireland would rashly give its consent to the improper alienation of land such as had been referred to? The clause was primarily intended to deal with such cases as had been described by the Lord Chairman. The Local Government Board could be relied upon to act in the protection of the public, and with the addition of the Amendment which Lord Meath would subsequently move there could be no serious risk of harm being done.

THE EARL OF MEATH thought the Local Government Board would often be placed in an awkward position in this matter. Very rightly the Local Government Board had been continually urging municipal authorities to expend money in housing working classes who were now improperly housed, and if a municipal authority had a site in their possession upon which they might build workmen's houses without much expense the Local Government Board would be placed in a very awkward position if they refused their consent. He would illustrate what he meant by an example. He owned property in the city of Dublin which was almost entirely covered by working-class

to what we intend before agreeing to either.

Amendment, by leave, withdrawn.

Remaining Clauses agreed to.

Standing Committee negatived: The Report of Amendments to be received on Tuesday next, and Bill to be printed as amended. (No. 211.)

House adjourned at twenty-five minutes before Seven o'clock, to Monday next, a quarter before Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 22nd October, 1908.

The House met at a quarter before Three of the Clock.

### PRIVATE BILL BUSINESS.

EDUCATION BOARD PROVISIONAL ORDERS CONFIRMATION (CORNWALL, ETC.) BILL [LORDS] (By ORDER).

[THIRD READING.]

Order for Third Reading read.

\*MR. CLOUGH (Yorkshire, W.R., Skipton) said he did not desire to detain the House at any length, and he would, therefore, compress his complaint against the Bill into a few words. The key of the puzzle was to be found in two words in the first line of the schedule, viz., East Hardwick. Now East Hardwick was a school within the jurisdiction of the West Riding. The existing school was condemned by the Board of Education inspectors as far back as 1901. It was taken over by the local education authority on the appointed day, 1st April, 1904. In 1905 the local education committee formulated its requirements with regard to the school building, and after many negotiations the managers replied in November, 1906, that they had no funds out of which the school could be repaired. Thereupon the local education authority decided to provide a school themselves. That was in December, 1906. The Board of Education sent down their

decision that a new school should be provided by the local education authority in May, 1907, and that decision had not yet been rescinded. He (Mr. Clough) asked a Question of the President of the Board of Education in July this year, and he said it had not been rescinded up to the 14th of that month. The Board urged the local authority to provide the school with all despatch. The local authority endeavoured to secure a site, but all the local owners of suitable and eligible sites refused to sell to the local education authority, who appealed for compulsory powers. The Board made a provisional order, which was incorporated in the Bill now down for Third Reading. It was introduced in the House of Lords on 5th May. The Second Reading came on on 1st June in the House of Lords, when Viscount Halifax moved that it be an Instruction to the Committee to omit this particular order and schedule with regard to the West Riding. The debate was adjourned till 24th June, when Lord Crewe, on behalf of the Government, undertook to withdraw the order on the Committee stage. On that understanding the Bill was read a second time. It passed through Committee, was reported, read a third time, and sent to the Commons on 21st July, minus the order regarding the West Riding. He (Mr. Clough) submitted that the Board of Education and the House of Commons ought not to take this Instruction from the House of Lords. He submitted that the order was purely an administrative measure, but the so-called constitutional party appeared to have strained the constitution of another place, perhaps out of fellow feeling to a brother landowner, or it might be to flout the West Riding County Council, the most progressive local education authority throughout England and Wales. [OPPOSITION cries of "Oh."] He had two appeals to make. One to the House of Commons that it would assert its supremacy over administration as well as over finance, and he appealed to the President of the Board of Education, seeing that East Hardwick was a single school area, and there was no choice of schools for the parents to send their children to, to see that there should not be a new denominational school, privately controlled, in which the teachers should have to submit to sectarian tests, but that it should be a public elementary school

provided by the local education authority. He begged to move.

\*MR. SPEAKER: Move what?

\*MR. CLOUGH: That the Bill be re-committed.

\*MR. SPEAKER: If the hon. Member had told me at the commencement that he was going to move the recommitment I should have told him that he was not entitled to do so now. I only permitted him to speak because I understood after a protest from him the Bill would go through unopposed. The time to take opposed Private Bills is 8.15 p.m., and not three o'clock in the afternoon.

\*MR. CLOUGH: If you understood that, Sir, I shall not move.

Bill read the third time and passed, without Amendment.

### PETITIONS.

#### LICENSING BILL.

Petitions against: From Tonbridge; and Tipton; to lie upon the Table.

Petitions in favour: From Berwick-upon-Tweed; and London; to lie upon the Table.

#### LOCAL GOVERNMENT (SCOTLAND) BILL.

Petition from Perth, for alteration; to lie upon the Table.

#### WOMEN'S ENFRANCHISEMENT BILL.

Petition from Kendal, in favour; to lie upon the Table.

### RETURNS, REPORTS, ETC.

#### EAST INDIA (DECENTRALISATION) (ROYAL COMMISSION).

Copy presented, of Report of the Royal Commission on Decentralisation in India, with Appendices. Vol. I. and Minutes of Evidence, Vols. II. to X. [by Command]; to lie upon the Table.

#### IRISH LAND COMMISSION.

Copy presented, of Return of Advances made under the Irish Land Act, 1903, Mr. Clough.

during the month of January, 1908 [by Command]; to lie upon the Table.

### SOUTH AFRICA.

Copy presented, of Correspondence and Returns as to Retrenchments in the Transvaal and Orange River Colony Public Services, and the South African Constabulary, and Central South African Railways Administration within the period 1st July, 1903, to 30th June, 1904 [by Command]; to lie upon the Table.

#### PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Inquiry into Charities (County of Berks), further Return relative thereto [ordered 28th March, 1903; Mr. Griffith Boscawen]; to be printed. [No. 307.]

### QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES

#### Conveyance of American Mails.

MR. HENNIKER HEATON (Canterbury): To ask the Postmaster-General whether the letters from Great Britain and Ireland to the United States and Canada are carried in the fast and powerful American and German steamships at the rate of 1s. 8d. per lb., while the British Government pays 3s. per lb. or a sum equalling 3s. per lb. for the conveyance of letters on British ships, whether the whole cost of conveying the mails for the United States of America and Canada, sent via New York at the higher rate, is charged to the British Post Office; and whether he has made any protest to the Chancellor of the Exchequer with a view to having the accounts in this respect adjusted, seeing that the higher rates are properly given to British shipowners for other than postal purposes; and what would be the saving to the British Post Office if the whole of the letters and newspapers transmitted last year to New York were paid for at the rate given to German and American vessels.

(Answered by Mr. Sydney Burton.) The facts are not as the hon. Member supposes. The payment to the American and German companies is made at the Postal Union rate, equivalent up to 31st December last to 1s. 9½d. a pound, and since that date to 1s. 5d. a pound.



The payment to the British contract vessels for the last contract year, expiring on 31st July last, for the conveyance of letters to the United States and Canada via New York, amounted (so far as can be estimated) to a sum slightly in excess of 1s. 10d. per pound. This sum decreases as the quantity of mail increases. The whole of the payment made out of the Post Office Vote to the contracting companies is paid exclusively in respect of postal services. It is estimated that in the year 1907 the payment made for the conveyance of letters and other articles exceeded by about £1,500 the sum which would have been paid under Postal Union rates. In so far as a higher payment is made in respect of the use of British than of German or American vessels the explanation is not that the excess is paid for a non-postal service, but that it is the consideration for contractual obligations of speed and regularity, etc., which do not rest on the owners of vessels, whether foreign or British, which are not under contract with His Majesty's Government.

#### Death of Harry Haigh on Great Central Railway.

MR. CLYNES (Manchester, N.E.): To ask the Secretary of State for the Home Department whether he has a record of the accident which caused the death of Harry Haigh, employed by Great Central Railway, Ducie Street, Manchester, on 10th April, 1908; whether the record shows that the accident was due to Haigh acting as both horse-shunter and brakesman, and for want of room to work in; and what was the certified cause of death.

(Answered by Mr. Churchill.) The verdict of the coroner's jury in this case was that Haigh had been accidentally crushed between a horse and a railway van. An inquiry was held on behalf of the Board of Trade, and I am forwarding to my hon. friend a copy of the sub-inspecting officer's report, together with a copy of the railway company's reply to his recommendations.

#### Service Rifle—Muzzle Velocity, etc.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War what breech pressure is exerted by the .303 ammunition producing a muzzle velocity of 2,600 foot seconds with a

bullet of 150 grains; and what are the length in calibre of the point of the bullet, the point-blank range, the ballistic coefficient, the time of flight for 1,000 yards, and the deflection at 1,000 yards for a wind of ten miles per hour.

(Answered by Mr. Secretary Haldane.)

As regards breech pressure, a mean pressure not exceeding  $18\frac{1}{4}$  tons would be exerted. No pattern of 150-grain bullet has yet been decided upon, and it is not therefore practicable to give any information as regards the length in calibre of the point of the bullet or the ballistic coefficient. As regards point-blank range, the range in which a 150-grain bullet, at 2,600 f.s. velocity, would not rise more than five feet above the line of sight would be about 700 yards. The time of flight for 1,000 yards would be about two seconds (calculated), but this varies with different designs. The deflection at 1,000 yards for a wind of ten miles per hour would be about  $12\frac{1}{2}$  feet (calculated).

MR. COURTHOPE: To ask the Secretary of State for War what are the point-blank range, the breech pressure, the ballistic coefficient, the time of flight for 1,000 yards, and the deflection at 1,000 yards for a wind of ten miles per hour, in the case of each of the following types of .303 ammunition: service Lee-Metford, with bullet of 215 grains; Swift, with bullet of 225 grains; Velopex, with bullet of 150 grains, and Lee-Metford Palma, with bullet of 225 grains.

(Answered by Mr. Secretary Haldane.)

For the service 215-grain bullet the point-blank range for a height of trajectory above line of sight not exceeding five feet is 550 yards; as regards breech pressure the mean pressure does not exceed  $16\frac{1}{2}$  tons. The ballistic coefficient is .42 approximately; the time of flight for 1,000 yards is 2.4 seconds; the deflection at 1,000 yards for a wind of ten miles an hour is  $13\frac{1}{2}$  feet (calculated). Similar information as regards the three other bullets is not available.

#### School Attendance—Certificate of District Nurse.

MR. HERBERT (Buckinghamshire, Wycombe): To ask the President of the Board of Education whether he can see his way by regulation to authorise the

acceptance of a certificate by a district nurse as to the inability of a child to attend school in country districts owing to the difficulty often experienced of obtaining the certificate of a medical practitioner.

(*Answered by Mr. Runciman.*) The matter is not dealt with by the Board's regulations. It is for the local education authority in each area to say, in the first instance, what evidence they will accept under the law of school attendance as sufficient to excuse a child from attending school, and in cases of prosecution for non-attendance it is for the magistrates to decide as to the sufficiency of the evidence and excuse.

#### **Discharge of the National Telephone Company's Staff.**

MR. CLAUDE HAY (Shoreditch, Hoxton): To ask the Postmaster-General whether, having regard to the fact that the dismissal of thousands of skilled men employed by the National Telephone Company will not only deprive these men of their employment but cause loss of work to those, not part of the company's staff, who are at present engaged in the manufacture and installation of telephone apparatus and material, he will take immediate measures to prevent the discharge of that part of the staff of the National Telephone Company which is engaged upon constructional work needed to meet public wants.

(*Answered by Mr. Sydney Buxton.*) I think I must refer my hon. friend to the Answers I have given to similar Questions to which, at present, I have nothing to add. I am in negotiation with the National Telephone Company in regard to the question of the continuance of works of construction.

#### **Sorters Performing Higher Duties.**

MR. SUMMERBELL (Sunderland): To ask the Postmaster-General if he is aware that a sorter in the London postal service has performed over eighty days duty, from the 1st January to the 30th June of the present year, on a superior class, and has just received pay allowance for seventeen days only, and that up to the 10th October he has performed an additional sixty days, for which he has not yet received any allowance; that this case is typical of others; and, if so,

whether, in view of the Hobhouse Committee's recommendations, he will say what action he proposes to take in this case.

(*Answered by Mr. Sydney Buxton.*) The recommendations of the Select Committee as regards substitution upon a higher duty have been adopted, and I shall be glad if the hon. Member will send me the name and office of the sorter to whom he refers, and I will look into the case.

#### **Weekly Payment of Army Pensioners Employed by the Post Office.**

MR. SLOAN (Belfast, S.): To ask the Postmaster-General if he can say what are the regulations which compel Army pensioners in the service of the General Post Office to receive the pensions weekly with their employment pay; and if, in the event of such pensioners desiring to receive their pensions quarterly and not with employment pay, such request will be granted.

MR. SLOAN: To ask the Secretary of State for War if he can say under what circumstances Army pensioners under the General Post Office are compelled to accept payment of their Army pensions weekly with their employment pay; and whether, in the event of pensioners so employed desiring to have their pensions paid quarterly, the War Office regulations governing the payment of pensions will be carried out.

(*Answered by Mr. Sydney Buxton.*) I will answer these two Questions together. The system of paying naval and military pensions weekly with the Post Office employment wages was introduced on the 1st of April, 1900, mainly in the interests of the staff, on the recommendation of an inter-departmental committee. The system works smoothly, and I do not think that exceptions to the arrangement would be advisable. The War Office agreed that their regulations should be waived in the case of pensioners employed by the Post Office.

#### **Increase of Postal Pay at Kirkcaldy.**

MR. DALZIEL (Kirkcaldy Burghs): To ask the Postmaster-General whether he is now able to state his decision in regard to the representations that have been made to him for increased pay being granted to the postmen of Kirkcaldy.

(*Answered by Mr. Sydney Buxton.*) The maximum of the scale for postmen at Kirkcaldy has been raised by 1s. a week, from 24s. to 25s.

#### **Ventilation of the House of Commons.**

SIR PHILIP MAGNUS (London University): To ask the First Commissioner of Works whether he can now see his way to take any steps to improve the ventilation of the House by the admission of fresh air through other channels than the floor, over which hundreds of persons tread during the day, bringing with them from the roads particles of organic matter, which, by the system now in operation, are forced into the air and distributed throughout the Chamber.

(*Answered by Mr. L. Harcourt.*) It has already been shown by the inquiry before the Select Committee upon the subject, that nothing short of a radical reconstruction of the Chamber would permit of an alteration of the system of admitting fresh air at the floor level. It should, however, be borne in mind that, in addition to scrupulous cleanliness, any small extent of vitiation in connection with the present system is probably neutralised by the rapid changes of air.

#### **Continuation of Road from Princes Gate to Bayswater.**

CAPTAIN FABER (Hampshire, Andover): To ask the First Commissioner of Works whether, looking at the state of unemployment now existing, he can recommend that the road leading from Princes Gate to Bayswater Road be continued from the Serpentine in a straight line for Paddington Station.

(*Answered by Mr. L. Harcourt.*) I fear that I am unable to recommend the suggested alteration. I am providing a large amount of work for the unemployed in the royal parks of a more suitable nature than the removal of the gate and lodge which this proposal would involve.

#### **Members' Dinner Bills.**

MR. MARKHAM (Northamptonshire, Mansfield): To ask the hon. Member for Mid. Derby, as Chairman of the Kitchen Committee, whether the practice has always been to treat the dinner bills of Members as private; whether he is aware that recently a member of the Kitchen Committee instructed the clerks to

search the back files for a particular dinner bill of a Member which had been the subject of public discussion; whether this examination was made by his authority; and, if not, will he issue orders to prevent the repetition of any similar investigation.

(*Answered by Sir Alfred Jacoby.*) In reply to my hon. friend it is the practice of the Kitchen Committee to treat dinner bills of Members as private. If any breach of this rule has taken place it is without my authority. I have given strict orders that no Member's dinner bill is to be subject to investigation.

#### **Alleged Fraudulent Coal Export Certificate.**

MR. WATT (Glasgow, College): To ask the Lord-Advocate whether his attention has been called to the case of a shipment of coal to Barcelona by a firm of coal exporters to the order of J. and P. Coats, Limited, of Paisley, in January last; whether he is aware that in the case a fraudulent certificate was issued by the exporter saying the coal was a specific brand, whereas it was not; whether this practice is a common one in such shipments, and therefore calls for the attention of his Department; whether the Crown Agent in Edinburgh forbade the procurator fiscal from prosecuting in this case; and, if so, will he state to the House the grounds on which such practices are condoned by his Department.

(*Answered by Mr. Thomas Shaw.*) I beg to refer my hon. friend to the Answer given by me on this subject on Monday last to a Question put by the hon. Member for East St. Pancras, to which I have nothing to add.

#### **Old-Age Pensions—Outdoor Relief Refunded.**

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash): To ask the Chancellor of the Exchequer whether receipt of outdoor relief will be held to disqualify a man, otherwise qualified, from the receipt of a pension for old age when such relief has been repaid in full to the guardians on his behalf.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer this Question. It is with some others which

have arisen under the recent Act, and which involve legal considerations receiving attention, but I am not in a position at the moment to give a definite answer with regard to it.

#### Old-Age Pension Regulations in Australia.

MR. FELL (Great Yarmouth): To ask Mr. Chancellor of the Exchequer if the exemption of furniture from the calculation of the means of applicants for pensions in New Zealand and in the Australian Colonies is provided for in the Pension Acts in force in those Colonies, or is only sanctioned by the instructions issued to the pension officers.

(*Answered by Mr. Asquith.*) I cannot find any provision either in the New Zealand Act or in the new Commonwealth Act, which would have the effect of exempting the value of furniture owned by a claimant to an old-age pension from inclusion in the calculation of his accumulated property for the purposes of these Acts, nor am I aware that it is exempted.

#### Boys Employed at Woolwich Arsenal.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk): To ask the Secretary of State for War how many boys between the ages of sixteen and twenty-one are employed at Woolwich Arsenal; what is the nature of their employment; and what proportion of them after the age of twenty-one are employed regularly at the Arsenal.

(*Answered by Mr. Secretary Haldane.*) The numbers are as follows—

Ordnance Factories	-	-	1,158
Chief Inspector	-	-	134
Deputy Director of Ordnance			
Stores	-	-	43
Naval Ordnance Officer	-	-	10
			—
Total	-	-	1,345
			—

In the Ordnance Factories the lads are employed in attending to machines and assisting generally in the shops. Some few are employed in the offices. On reaching the age of twenty-one about 50 per cent. of the trade lads are retained, and in addition those lads, not trade lads, who are engaged on special jobs and whose retention is specially approved by

the War Office in each case. Of the lads under the chief inspector the majority are employed in gauging and packing small arm ammunition and charges, some in the shops on miscellaneous work and as messengers lads, and the rest in the office. Only those in the office are retained if suitable as vacancies occur in the adult staff, as the remainder are discharged at the age of nineteen, and of those now serving possibly twelve may be retained. In the Deputy Director of Ordnance Stores' stores sixteen are boy writers and twenty-seven boy messengers. About one lad in six is retained as a rule. In the Naval Ordnance office the lads are employed as boy messengers, and all can be employed regularly after the age of twenty-one.

#### Training of Soldiers on the Lancashire and Yorkshire Railway.

MR. HUDSON (Newcastle-on-Tyne): To ask the Secretary of State for War if he can say whether the military men acting as firemen on the engines of the Lancashire and Yorkshire Railway Company have been withdrawn; and, if so, whether such withdrawal is temporary or permanent.

(*Answered by Mr. Secretary Haldane.*) The soldiers who were undergoing a course of training in locomotive firing on the Lancashire and Yorkshire Railway have all been withdrawn. The withdrawal is not permanent, being consequent on the depression of trade now existing in the vicinity of the railway.

MR. HUDSON: To ask the Secretary of State for War if he contemplates engaging any more military men to railway companies for the purposes of training them in railway locomotive work; and, if so, whether he will ensure that they shall not displace the regular men in the service or reduce them below a full week's work and wages.

(*Answered by Mr. Secretary Haldane.*) Yes, Sir. Every opportunity will be taken to train soldiers of the Royal Engineers belonging to the railway companies of that corps in locomotive firing on such of the British railways as can, from time to time, afford facilities for the above training without detriment to the employment of their regular civilian staff.



**Automatic Rifles.**

**MR. COURTHOPE:** To ask the Secretary of State for War whether an automatic rifle, fulfilling the necessary requirements of a service weapon, has yet been invented; and what is the estimated period of time which must elapse between the invention of an automatic rifle and the completion of a sufficient number to arm our regular forces.

*(Answered by Mr. Secretary Haldane.)*  
As regards the first part of the Question, there are no official details of such a rifle. As regards the second part of the Question, in the absence of the necessary information as regards the rifle, it would be quite impracticable to make even a rough estimate of a period which in this country would depend on so many circumstances.

**MR. COURTHOPE:** To ask the Secretary of State for War what is the estimated increase of ammunition which the use of an automatic rifle would require to be carried by the soldier, on the regimental and other ammunition carts and mules, by divisional ammunition columns, and in the ammunition park; and whether he has any official reports showing whether such necessary increase, and the consequent increased risk of failure of the supply of ammunition, would counteract the advantages derived from the use of an automatic rifle by infantry in action.

*(Answered by Mr. Secretary Haldane.)*  
As I have no official information as regards the rifle I am not in a position to give any estimate as regards the ammunition necessary.

**The Lee-Enfield Rifle.**

**MR. COURTHOPE:** To ask the Secretary of State for War whether experiments have been conducted with a view to so altering the breech mechanism, magazine, and chamber of the service Lee-Enfield rifle that up-to-date ammunition with a powerful charge of fast-burning powder and a pointed ogival bullet may be used, in order that British troops may be armed with a rifle and ammunition not inferior to that of other nations; and, if not, whether he will give instructions for such experiments to be carried out forthwith.

*(Answered by Mr. Secretary Haldane.)*  
As I have already explained to the House, experiments are now being made with the view of obtaining ammunition of the kind indicated in the Question.

**Use of the Drill Hall, Woolwich for Public Meetings.**

**MR. CROOKS (Woolwich):** To ask the Secretary of State for War whether the Government forbid the letting of the Drill Hall, Woolwich, for public meetings; and, if not, will he communicate this fact to the officer in charge.

*(Answered by Mr. Secretary Haldane.)*  
My hon. friend apparently refers to the drill hall of the Second London Royal Field Artillery. The use of the drill hall was refused because the guns and equipment are kept in the hall.

**French Ambulance Work at Casa Blanca.**

**SIR GILBERT PARKER (Gravesend):** To ask the Secretary of State for War whether the War Office has in its possession full information as to the mechanical means, such as motor ambulances, which may have been used for transporting the French sick and wounded during the campaigning at Casa Blanca; and, if not, whether he will instruct the Military Attaché at Paris to furnish a Report.

*(Answered by Mr. Secretary Haldane.)*  
From information received it would appear that no mechanical transport was used for the carriage of the French sick and wounded during the campaigning at Casa Blanca. Has the hon. Member any information to the contrary effect, and, if so, would he furnish me with it?

**SIR GILBERT PARKER:** To ask the Secretary of State for War if the War Office has in its possession full particulars as to the methods adopted for treating cases of enteric in the French field-hospitals at Casa Blanca; and, if not, will the War Office think it expedient to instruct the Military Attaché at Paris to procure full particulars.

*(Answered by Mr. Secretary Haldane.)*  
I am informed that enteric in the hospital at Casa Blanca was treated on the Brandt or cold-water system.

**Housing of Spanish Troops at Casa Blanca.**

**SIR GILBERT PARKER:** To ask the Secretary of State for War if the War

Office has in its possession full particulars as to the methods adopted in the Spanish Army for housing the forces debarked at Casa Blanca, the system of constructing the papier-maché huts, field-kitchen, and hospital, and the cost of construction; and, if not, will the War Office think it expedient to instruct the Military Attaché in Madrid to procure full particulars.

(*Answered by Mr. Secretary Haldane*) The War Office is in possession of information regarding the types of huts used for housing the Spanish troops at Casa Blanca. No detailed information has been received regarding the Spanish field-kitchen or hospital. The latter is a hutment similar to those used as barracks for the troops. The field-kitchens are understood to be of the ordinary type, and it has not been considered necessary to call on our Military Attaché for a special report.

#### **British and Foreign Slates on Aldershot Barracks.**

SIR BERKELEY SHEFFIELD (Lincolnshire, Brigg): To ask the Secretary of State for War what number of slates have been used during the last two years for slating the roofs of the barracks at Aldershot; and whether these slates are of foreign or British origin.

(*Answered by Mr. Secretary Haldane.*) 109,170 slates were used, 99,170 being of British origin, and 10,000, approximately, of foreign origin. The latter are being used experimentally.

#### **War Office and Salisbury Plain—Compensation to Labourers for Loss of Employment.**

MR GOULDING (Worcester): To ask the Secretary of State for War whether, in connection with the purchase of land in the neighbourhood of Salisbury Plain, he has made any provision for adequate compensation being paid to such aged agricultural labourers as will lose their employment.

(*Answered by Mr. Secretary Haldane.*) As a period of twenty months will elapse between now and the time when the land will be required for military purposes it is hoped that this interval will prove sufficient to enable the labourers to make fresh arrangements where necessary. Should special cases

of hardship arise I undertake that they shall be considered with a view to compensation.

#### **Completion of Cavalry Barracks at Colinton.**

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the Secretary of State for War whether he can furnish any information as to when the new cavalry barracks at Colinton will be commenced; how many men will be employed on the work; and at what date is it estimated that they will be completed.

(*Answered by Mr. Secretary Haldane*) I am not able at the present moment to give the hon. and gallant Member the information he requires. Will he kindly refer to my reply to a Question on this subject by my hon. friend the Member for Central Edinburgh on Tuesday last?

#### **Re-enlistment in the Territorial Army.**

MR. EVELYN CECIL (Ashton Manor): To ask the Secretary of State for War whether it is the intention of the Government that men who have already enlisted in the Territorial Army at its beginning for one year only should be able to enlist again for one year only at their option, on the same conditions as to service and clothing.

(*Answered by Mr. Secretary Haldane.*) Under the Territorial and Reserve Forces Act, Section 9 (1) (c), men may be re-engaged for a period to be prescribed not exceeding four years. This period will, in accordance with paragraph 88 of the Territorial Force Regulations, be fixed by the County Associations. This applies to all re-engagements.

#### **Acquisition of Land for Territorial Army Ranges.**

SIR BERKELEY SHEFFIELD: To ask the Secretary of State for War whether he will lay upon the Table a Return specifying the lands to be acquired for Territorial ranges, setting forth the names of the owners and occupying tenants, the acreage of their properties and holdings, and the correspondence which has passed between the War Office and the various people concerned.

(*Answered by Mr. Secretary Haldane.*) It is obviously impracticable to give a

Return of the properties concerned before the negotiations are completed. In this respect I propose to follow the practice of my predecessors, and lay Returns of the purchases when completed on the lines of those given in 1898 and 1899.

**Reinstatement of Mathew Conroy, of Clonaslee.**

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the reason why the compulsory provisions of the Evicted Tenants Act were not put into operation for the purpose of reinstating Mathew Conroy, the Castle Farm, Clonaslee, Queen's County, and his family, who were evicted within the limit set down under the Act of 1903, and whose farm remains untenanted on the landlord's hands.

(*Answered by Mr. Birrell.*) The Estates Commissioners are inquiring into this case with a view to deciding whether they will acquire the lands under the Evicted Tenants Act.

**Purchase Agreements on the Estate of R. E. Pigott at Capard.**

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application made on behalf of a number of tenants on the estate of Robert Edward Pigott, Capard, Queen's County, situated at Laccan, Rosenallis, Queen's County, asking to be released from agreements to purchase signed on the 2nd May, 1908, upon the grounds that the stipulated conditions of the bargain reserving to the tenants game, turbary, and free mountain grazing rights were not embodied in the agreements, but on the contrary reserved to the landlord, and further that the agreements were not read over to them, and that their names were attached in ignorance of the contents of those documents; can he say whether the original agreements have been lodged with the Estates Commissioners; and what course they propose taking in this matter.

(*Answered by Mr. Birrell.*) The Estates Commissioners have received the application referred to, and will consider it when they are dealing with the purchase

agreements which have been lodged with them.

**Irish School Teachers—Grants for Increase of Salary.**

DR. AMBROSE (Mayo, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is the intention of the Treasury and Commissioners of National Education to withhold from teachers in charge of schools with an average attendance under thirty-five any portion of the grant of £114,000 which has been voted for the augmentation of the salaries of national school teachers; is he aware that there are at least 3,000 of such schools in Ireland, that the teachers in charge have to do all the work themselves, not as a rule being provided with assistants, and are therefore entitled to their due share of the grant; and whether, seeing that the withholding of the grant from those teachers would inflict a great injustice on them and on the children, he will see that they are secured their due share of it.

(*Answered by Mr. Birrell.*) No schools are excluded from participation in the grant.

**Provision of Free Meals for School Children.**

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the President of the Board of Education whether, when application is made by local authorities to the Board to sanction expenditure from the rates to provide free meals for necessitous school children, the Board has refused its sanction, insisting that voluntary effort must precede the expenditure of public money.

(*Answered by Mr. Runciman.*) No application which satisfies the requirements of Section 3 of the Provision of Meals Act has been rejected, and I am not aware that the Board of Education have ever assumed the attitude which is indicated by the Question.

**Changes in the Coastguard Service.**

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty whether any action is going to be taken on the recommendations of the Inter-departmental Committee Report on the Coastguard; and whether official information will be circulated among the officers

and men affected, giving them ample notice of any contemplated changes.

(*Answered by Mr. McKenna.*) The answer to both parts of the Question is in the affirmative.

#### Cost of Destroyers.

MR. BELLAIRS: To ask the First Lord of the Admiralty on what basis the Board made the calculation in which they inform the Commonwealth Government that the first cost of six destroyers will be £473,500, or an average of £78,900 each; what type of destroyer does the Board refer to, and what is the speed; and whether the Board took into consideration that the destroyer "Swift" is set down in the Navy Estimates as costing £250,000 and the remaining twelve at least £120,000 each, exclusive of armaments.

(*Answered by Mr. McKenna.*) The destroyers taken as the basis of the calculation were of the "River" class, which is clearly stated in the Blue-book. The speed is quoted as 25.5 knots.

#### Post Office—Substitution of Female for Male Labour.

MR. STEADMAN (Finsbury, Central): To ask the Postmaster-General if he will state the number of vacancies on the male establishment of the Post Office that have been filled by females during 1907 and 1908, respectively; and, will he say whether the substitution of female for male labour in his department is one of the causes of the present lack of employment among men.

(*Answered by Mr. Sydney Buxton.*) In certain cases, from the nature of the work, it was found desirable to substitute women for men. But in the aggregate the increase in the number of posts created for males during the last year has considerably exceeded the number of posts created for females, as my hon. friend will see on comparing the details of the staff employed in the Post Office as given in Appendix F of my Reports for the years 1907 and 1908, which show that the increase in the male staff in 1908 over 1907 was 2,666 against 1,753 in the female staff.

#### The Provincial Homes Investment Company.

MR. CROSSLEY (Cheshire, Altrincham): To ask the President of the

Board of Trade if he is aware of the action being taken against the Provincial Homes Investment Company in Manchester and of the litigation about to ensue, in which the poor investors' money will be spent in defence of the directors; and whether he proposes to take any action in the matter.

(*Answered by Mr. Churchill.*) It has been brought to my knowledge that there has been litigation in Manchester between the Provincial Homes Investment Company and some of its policy holders or bond holders, but I have no power to intervene in any way.

#### Estate Duty—Form of Returns.

MR. WHITBREAD (Huntingdonshire, Huntingdon): To ask Mr. Chancellor of the Exchequer what instructions have been issued since 1st January, 1894, up to the present date altering the practice of the Inland Revenue Department as set out in the Paper Inland Revenue (Death Duties), Public Houses, dated 14th May, 1890.

(*Answered by Mr. Lloyd George.*) No instructions have been issued since 1st January, 1894, altering the practice of the Estate Duty Department of the Board of Inland Revenue.

#### Leasing of Crown Salmon Fisheries in Scotland.

CAPTAIN ARTHUR MURRAY (Kincardineshire): To ask the Prime Minister whether he is aware that the Woods and Forests Department is endeavouring to arrange to lease Crown salmon fishings in Scotland, hitherto open to the public, to private individuals; and whether, in view of the fact that these fishings are national property and that the Royal Commission of 1895 and 1896 recommended that such fishings should be administered by a district board in order that the public, on payment of a licence, should have the use of them, the Government would consider the propriety of withholding its sanction to the granting of such leases until such time as legislation on the lines recommended by the Commissioners be introduced.

(*Answered by Mr. Hobhouse.*) The Commissioners of Woods are bound to make the best revenue they can from the Crown property for the benefit of the



upon the subject been tendered to the Committee. The Committee have now concluded the taking of evidence, and are considering their Report, which they hope to present shortly.

**Sir Ralph Littler.**

**MR. JOHN WARD :** I beg to ask the Secretary of State for the Home Department whether he has yet completed his inquiry into the recent sentences passed by Sir Ralph Littler at the Middlesex Sessions ; and what action he proposes to take in the matter.

**MR. W. THORNE :** I beg also to ask the Secretary of State for the Home Department whether he has completed his inquiries with reference to the sentences passed on two labourers by Sir Ralph Littler at the September Middlesex Sessions, wherein one man was sentenced to three years' penal servitude and two years' police supervision for stealing apples to the value of 1s., and the other was sentenced to twelve months' hard labour for stealing three penny eggs ; and whether he can now see his way clear to order the sentences to be reduced.

**MR. GLADSTONE :** I find, on inquiry, that Sir Ralph Littler had already decided to reduce the sentence of three years penal servitude to one of eighteen months hard labour, and that his decision had been communicated to the prisoner on 23rd September last. This man had three previous convictions of felony, for which he received sentences of six weeks hard labour, twelve months under the Borstal system, and fifteen months hard labour. Having regard, however, to the nature of his present offence, I propose to communicate with Sir R. Littler with a view to a further reduction of sentence. In the other case the prisoner had no less than nineteen previous convictions, including five of felony, and during the last ten years he has served eleven terms of imprisonment, ranging from fourteen days to three months. He gave notice of appeal against his present sentence, but abandoned it. In view of the criminal record of this man, I cannot think that the sentence of twelve months hard labour is excessive, and I am not prepared to recommend that it should be reduced.

**The Aliens Act.**

**MR. FELL :** I beg to ask the Secretary of State for the Home Department if he proposes to amend the instructions issued under the Aliens Act by his Department ; and if it is not possible by such instructions to prevent such evasions of the Act as took place recently at Hull in the case of the four Russian Jews deported as undesirable, but who afterwards got into the country at Hull by another ship.

**MR. GLADSTONE :** I have nothing to add to my statement last Tuesday that the question which has arisen at Hull is engaging my attention.

**MR. FELL :** Are the Regulations to be amended ? Does not the right hon. Gentleman consider that the arrival of these undesirables adds to the unemployment difficulty here ?

**\*MR. GLADSTONE :** When I have come to a decision regarding the Hull aliens the hon. Member can put a further Question.

**\*MR. BYLES (Salford, N.) :** When will the House see the annual Report on the working of this inhospitable Act ?

**Licensing Compensation Loans.**

**VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) :** I beg to ask the Secretary of State for the Home Department on what principle he acts in deciding whether to give or withhold his consent to applications from compensation authorities for leave to borrow under subsection 5 of Section 3 of the Licensing Act, 1904.

**MR. GLADSTONE :** I cannot say more than that I give my careful consideration to all the circumstances of any case in which application is made to me. In certain recent cases I have felt that I should not be justified in giving leave to borrow, which would have the effect of charging the compensation levies for future years with awards of compensation made on a scale which it is one of the objects of the Licensing Bill to replace by a less extravagant scale. If the hon. Member desires to bring any particular case

**Fair Wages Clause—Report of Departmental Committee.**

MR. W. T. WILSON: To ask the Prime Minister if he can state when the Report of the Departmental Committee appointed to deal with the Fair Wages Clause will be ready.

(Answered by Mr. Asquith.) I am informed that the Report will be ready very shortly.

**The Unemployed Proposals.**

MR. COURTHOPE: To ask the Prime Minister whether any of his proposals in connection with the question of the unemployed will necessitate immediate legislation.

(Answered by Mr. Asquith.) The Answer is in the negative.

**QUESTIONS IN THE HOUSE.**

**Portsmouth Lock Contract.**

MR. RENWICK (Newcastle-on-Tyne): I beg to ask the First Lord of the Admiralty what was the relative aggregate cost of British and of foreign granite in the contract for the Portsmouth lock, in regard to which contract the

cost of granite to be used is estimated to be about £55,000; and whether will state if the preference given British granite was because it was cheaper than foreign granite.

THE FIRST LORD OF THE ADMIRALTY (MR. MCKENNA, Monmouthshire, N.): The lowest tender for the whole work was accepted, and a successful firm proposes to employ British granite.

MAJOR ANSTRUTHER-GRAY (Andrews Burghs): Will the same course be adopted in the case of Rosyth?

MR. MCKENNA: I am unable to say at present.

**The Royal Marines.**

CAPTAIN CRAIG (Down, E.): I beg to ask the First Lord of the Admiralty whether he can state the strength of all ranks of the Royal Marines, exclusive of bandsmen, on 1st January, 1906, and on 1st October, 1908, respectively.

MR. MCKENNA: The total strength of all ranks of Royal Marines (exclusive of band ranks) on 1st January, 1906, and on 1st October, 1908, was as follows—

The numbers include.	1st January, 1906.	1st October, 1908.
Officers . . . . .	478	465
Warrant officers . . . . .	41	47
Non-commissioned officers and men . . . . .	17,798	16,736
Total . . . . .	18,317	17,248

CAPTAIN CRAIG: Is it the intention of the right hon. Gentleman to reduce still further this valuable branch of the service?

MR. MCKENNA: There is no general intention to reduce the numbers.

CAPTAIN CRAIG: Why has it been so far reduced?

MR. MCKENNA: In order to meet the needs of the Admiralty.

CAPTAIN CRAIG: Then I hope the Admiralty for the time being is satisfied.

**New Zealand and Naval Defence.**

MR. LONSDALE (Armagh, M.P.): I beg to ask the First Lord of the Admiralty whether he is aware that the reply of the Admiralty to the request

of the New Zealand Government for a vessel for the purpose of training young New Zealanders for the Navy] has occasioned disappointment and discouragement in the Dominion; and whether he will make further inquiries as to the possibility of acceding to the patriotic desire of the Colony.

**MR. McKENNA:** It is a matter for sincere regret to me if the answer of the Admiralty has occasioned discouragement in the Dominion, but every inquiry was made at the time with a view to the possibility of meeting the wishes of the Dominion Government. It must be understood that to carry out efficiently the training of as many as 500 boys in a seagoing ship, a very special class of vessel is necessary, and at that time and now, no such vessel in the Royal Navy is available.

**MR. LONSDALE:** Will the right hon. Gentleman make further inquiries?

**MR. McKENNA:** I have made every investigation which is possible in the matter.

#### **Australian Commonwealth and Naval Defence.**

**MR. MENZIES (Lanarkshire, S.):** I beg to ask the First Lord of the Admiralty what was the annual cost to the British taxpayer of the ships of the Imperial Navy in Australian and New Zealand waters, including pay and allowances, victualling, etc., as well as repairs, stores, and depreciation, during the years 1905-6, and 1906-7; what was the amount of the subsidies received from these Colonies, during these two years; and what saving will there be upon that net annual cost when the local flotilla proposed by Mr. Deakin for the Australian Commonwealth, and costing £346,000 per annum, as outlined by the Admiralty 20th August, 1908 [Cd. 4325], is in actual existence.

**MR. McKENNA:** The cost of maintaining His Majesty's ships in Australian and New Zealand waters during the years 1905-6, and 1906-7, under the heads specified in the hon. Member's Question, was respectively, £514,500, and £607,000. The subsidies from the

Australian Commonwealth and New Zealand in respect of the period in question, amounted to £240,000 for each year. It is not possible to state what saving there may be if the scheme proposed by Mr. Deakin be carried out, as this will depend upon the circumstance and requirements at the time.

**MR. WILLIAM REDMOND (Clare, E.):** Can the right hon. Gentleman state whether any definite agreement has been come to between His Majesty's Government and the Government of the Commonwealth with regard to naval affairs in Australia?

**MR. McKENNA** replied that he thought the hon. Member had seen a copy of some correspondence on the subject. He had nothing to add to that correspondence at the moment.

**MR. WILLIAM REDMOND:** Then an agreement has not yet been finally and definitely come to?

**MR. McKENNA:** I think at the present moment we are waiting to hear further from the Australian Government on the subject.

#### **Naval Unreadiness for War.**

**MR. ASHLEY (Lancashire, Blackpool):** I beg to ask the First Lord of the Admiralty whether he is aware that on the 9th October, when the crisis in the Near East occurred, only three out of the six battleships of the Mediterranean Fleet were ready for sea; whether this contravenes the Memorandum issued to Parliament to the effect that not more than one battleship of the Mediterranean Fleet should be in dockyard hands or away from it at a time; and whether he is also aware that out of the eight cruisers mentioned in the Navy List only two were fit to accompany the three battleships to sea.

**MR. McKENNA:** With the exception of one battleship under refit, there was nothing to prevent all the vessels proceeding on service in case of emergency; and the sufficient number of vessels which were required proceeded on the service ordered without delay.

MR. ASHLEY : Am I to understand that every ship except that one was ready at Malta to sail on twelve hours notice ?

MR. McKENNA : Yes, Sir.

MR. BELLAIRS : When the right hon. Gentleman says all were ready, were not two of the cruisers at home in England ?

MR. McKENNA : All were ready that were out there. The question only deals with those at Malta.

MR. ASHLEY : Is it not a fact that one of the cruisers was in dockyard hands, and were not the boilers of two of the battleships defective ?

MR. McKENNA : It is true that some of the machinery of the ships was defective, but those defects would not have prevented those ships going to sea at once.

#### Naval Construction in Private Yards.

SIR BERKELEY SHEFFIELD (Lincolnshire, Brigg) : I beg to ask the First Lord of the Admiralty whether he is aware of the official statistics furnished to the House on 9th July, 1906, showing that during the last Government's six years of office there were, on an average seventeen vessels of over 5,000 tons under construction in private yards on 1st April of each year ; and whether he can state how many vessels of over 5,000 tons are at the moment being built for the Royal Navy in the private yards.

MR. McKENNA : I am unable to form an opinion as to which six years of office the hon. Member refers to in the first part of the Question. The reply to the second part of the Question is, five on the 1st of this month.

#### Dockyard Employees and Territorial Camps.

MR. MILD MAY (Devonshire, Totnes) : I beg to ask the First Lord of the Admiralty whether it is the intention of His Majesty's dockyard authorities to make to dockyard employees who have attended recent camps as members of the Territorial Army such continued payment in respect of time spent in

camp as will provide that they shall not suffer loss as a result of their attendance as members of the Territorial Force.

MR. McKENNA : The matter referred to by the hon. Member is under consideration.

#### The New Destroyers.

MR. STANIER (Shropshire, Newport) : I beg to ask the First Lord of the Admiralty if he can give the names of the two destroyers bought by the Government to replace the "Gala" and "Tiger;" and whether they equal them in speed, armament, radius of action, and sea-going qualities.

MR. McKENNA : The ships referred to have not yet completed their trials, and consequently have not been adopted into the Royal Navy nor been given names.

MR. STANIER : Are they of the river class ?

MR. McKENNA : They cannot be defined as belonging to any particular class—either the river or the tidal.

MR. STANIER : Did not the right hon. Gentleman himself say they would be in the river class ?

MR. McKENNA : This is a very technical question. So far as we have seen they cannot in all respects be described as belonging to the river class. It all depends on the trials which are still proceeding.

#### The Channel Fleet.

MR. BELLAIRS : I beg to ask the First Lord of the Admiralty whether any of the eight battleships absent from the Channel Fleet during the night of the recent Eastern crisis on 9th October were undergoing an extensive refit of over thirty working days.

MR. McKENNA : Some of the battleships were undergoing a refit which, unless interrupted, would last for more than thirty days. None had been paid off into dockyard hands, without a crew, for extensive refit.



MR. BELLAIRS asked why the Memorandum of the Admiralty requiring the replacing of any vessel undergoing extensive refit was not carried out.

MR. McKENNA: These vessels were not undergoing extensive refit.

MR. BELLAIRS: But the Admiralty themselves have defined extensive refit as thirty working days.

MR. McKENNA replied that the crews were still retained on board, and the refit might have been stopped at any moment and the battleships put to sea within twelve hours.

MR. BELLAIRS: I beg to ask the First Lord of the Admiralty with reference to the official statement that the Channel Fleet had eight out of fourteen battleships absent in the dockyards from the beginning of its cruise on 23rd September to 12th October, except for a period of ten days, when nine were absent, whether eight of the battleships were in the dockyards refitting; and if the Board propose to obviate the reduction of strength thus entailed by increasing the number of battleships with the Channel Fleet to seventeen, as was the case in 1905 and 1906.

MR. McKENNA: The suggestion contained in the earlier part of the hon. Member's Question is not correct, and the Admiralty have no intention of increasing the strength of the Channel Fleet.

MR. ASHLEY: Were all these eight battleships ready for sea within twelve hours?

MR. McKENNA: No, some were undergoing extensive refit.

#### **Rosyth.**

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the First Lord of the Admiralty whether he can state how many men are now being employed at Rosyth Dock, and in what capacity.

MR. McKENNA: The invitations to tender for the main contract are now

being issued. No men can be employed on the work until the contract is made. At present there are on the site, five Admiralty workmen and 107 men employed by the road contractor.

MR. ARTHUR LEE (Hampshire, Fareham): By what date have the contracts to be in?

MR. McKENNA: I will inquire. I think they are to be returned this year.

#### **Khalsa College, Amritsar.**

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Under-Secretary of State for India whether he is aware that dissatisfaction prevails among the Sikhs on account of the reorganisation of the governing body of the Khalsa College at Amritsar; was the new constitution framed under instructions from Government; was it objected to by a scion of the Atari house; were people allowed to vote who had not paid their subscriptions as required by the rules; was their readiness to pay, if the new rules were passed, regarded as tantamount to actual payment; and whether he can tell the House what steps the Government of India are taking to dispel this cause of dissatisfaction.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. BUCHANAN, Perthshire, E.): The Secretary of State has no information on the subject, but he will inquire.

#### **Government News Service for India.**

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for India whether the arrangement between the Government of India and the Simla correspondent of the *Daily Mail*, under which the said correspondent is authorised to provide the Government of India with a daily service of news, has been confirmed or renewed; if so, for what period and at what remuneration; and whether the sanction of the Secretary of State has been given to any such arrangement.

MR. BUCHANAN: The Gentleman with whom the arrangement referred to was made undertook as a condition of the agreement to sever his connection

with the *Daily Mail*, and to supply no news to that or any other paper in the United Kingdom. The arrangement was made for three years from November, 1907, and has been approved by the Secretary of State. The monthly cost is £160, which is to cover all charges for the collection of news.

#### **British Indians in the Transvaal.**

MR. J. M. ROBERTSON: I beg to ask the Under-Secretary of State for India whether he has received during the last few weeks any information from India of the holding there of meetings and expressions in other ways of popular indignation at the treatment of British-Indians in the Transvaal and their imprisonment for declining to take out and carry on their persons registration certificates; and whether His Majesty's Government have taken or propose to take any action in the direction of remedying the grievances complained of.

MR. BUCHANAN: Many representations on this subject are being received from India, where marked feeling has been aroused. They have been communicated to the Colonial Office, who will be able to reply to the latter part of the hon. Member's Question.

MR. LUPTON (Lincolnshire, Sleaford): Has the hon. Gentleman come to the conclusion that as regards British India there is no specific advantage in belonging to the British Empire?

MR. WILLIAM REDMOND (Clare, E.): None whatever.

#### **Cholera.**

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Under-Secretary of State for India whether his attention has been called to the reported cure for cholera now in use at Shanghai with good results; and whether he will cause inquiries to be made with a view to coping with this disease in India.

MR. BUCHANAN: The Secretary of State has no particulars as to the remedial treatment of cholera reported to be adopted in Shanghai, but will cause inquiries to be made.

#### **Chinese Coolies in the Transvaal.**

CAPTAIN CRAIG: I beg to ask the Under-Secretary of State for the Colonies if he can state the number of Chinese coolies at present employed in the mines in the Transvaal.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Colonel SEELY, Liverpool, Abercromby): I understand that there were 14,655 on the 30th September.

CAPTAIN CRAIG asked if these 14,655 coolies were still confined in compounds under "conditions of slavery."

COLONEL SEELY: Yes, they are still confined to compounds, but this bad system is rapidly being brought to an end. There appears to be no one in the British Empire who supports it, except a few hon. Members on the other side.

SIR GILBERT PARKER (Gravesend): Are not the natives in the Transvaal confined in compounds?

COLONEL SEELY: Yes, Sir, but under wholly different conditions.

MR. WILLIAM REDMOND: Who invented this system of compounds?

MR. ASHLEY: Will the Under-Secretary state what are these different conditions?

COLONEL SEELY: It is obviously impossible, within the limits of Question and Answer, to make clear the difference which has been explained again and again in the House.

MR. KEIR HARDIE (Merthyr Tydvil): Is not the difference rather in the terms of contract than in the compound system?

\*MR. SPEAKER: It is not desirable to have a discussion on this matter.

#### **Chinese Coolies and Opium.**

MR. SMEATON (Stirlingshire): I beg to ask the Under-Secretary of State for the Colonies whether, seeing that the Transvaal Opium Ordinance was

sed solely in order to provide for needs of the Chinese coolies, and if these coolies are being repatriated, in view of the consequences likely follow if the natives of the Transvaal become addicted to the opium habit, His Majesty's Government intend to advise the Transvaal Government to rescind the Ordinance when all the Chinese coolies have been repatriated.

**COLONEL SEELY:** The Ordinance was passed because the previously existing legislation was not sufficiently stringent, and its repeal therefore would seem to be undesirable. The question, however, is one for the Transvaal Government, in whose hands I feel assured that the interests of the natives in this matter are safe.

#### **Sleeping Sickness.**

**MR. REES (Montgomery Boroughs):** I beg to ask the Under-Secretary of State for the Colonies whether, with reference to the First Report of the research expedition sent out to Central Africa by the Liverpool School of Tropical Medicine to the effect that *Glossina palpalis* is not the only carrier of sleeping sickness, and to the fact that *Glossina morsitans* is found all over Nyassaland, the Government is taking special steps to prevent the further spread of sleeping sickness southwards to Nyassaland.

**COLONEL SEELY:** I regret to say that a telegram has been recently received from the Governor of Nyassaland reporting that sleeping sickness has appeared in that Protectorate. Steps are being taken to deal with the matter, the importance of which is and has been fully realised both by the Secretary of State and the Governor.

#### **Charge of Ill-treating Native Children.**

**MR. J. M. ROBERTSON:** I beg to ask the Under-Secretary of State for the Colonies whether his attention has been directed to proceedings in the St. Albans Divisional Sessions on the 10th instant, when the wife of the Chief Justice of Southern Nigeria was convicted of cruelly beating one of four native girls in her employ, who had been entrusted to the Chief Justice as

liberated slaves, to be under his guardianship until they are twenty-one years of age, the girl flogged being only about thirteen years old, and when both he and the defendant asserted their right to administer this and severer punishment; whether the conditions under which these wards were entrusted to the Chief Justice authorise, either in England or in Southern Nigeria, the treatment condemned in a British Court of law, the right to continuance of which was asserted both by the legal guardian of the child and by the defendant; and, if so, whether His Majesty's Government will take steps to procure withdrawal of these wards from the guardianship of the Chief Justice of Southern Nigeria, and also such modifications of existing regulations as will protect other liberated slaves from similar treatment in West Africa and elsewhere in British Dominions.

**COLONEL SEELY:** The wife of the Chief Justice of Southern Nigeria was convicted of a common assault upon one of these native girls, and I must say at once that, although the magistrates were able to allow the existence of certain extenuating circumstances, the Secretary of State deeply regrets that the name of an important judicial officer should be connected with a case of such a painful description. The whole circumstances of the case are under the consideration of the Secretary of State. The Secretary of State is also dealing with the subject matter of the second paragraph of my hon. friend's Question, and my hon. friend may rest assured that the conditions (upon which some communication with the Gold Coast may be necessary) will not be allowed to continue if they disclose any right to inflict upon a ward such treatment as that described in the first part of the Question. The Secretary of State is also taking steps to secure that these girls shall be sent back to the Colony and that their settlement there shall be arranged under the supervision of the Governor or some other suitable authority.

#### **East African Steamship Service.**

**MR. LONSDALE:** I beg to ask the Under-Secretary of State for the Colonies

whether the mails to and from British East Africa are carried in British, French, or German vessels; whether Government material intended for public works in this Colony is being despatched in foreign bottoms contrary to the regulations made by the late Government; and what steps are being taken to encourage British shipping on the East African route.

**COLONEL SEELY:** Mails to and from British East Africa are carried indifferently in British, French, or German vessels. Shipments of Government material are, in accordance with general practice, carried in British bottoms as far as possible, and shipments in foreign vessels are only made in cases of urgency when no British ship is available. I am not aware that any special regulations were made on this subject by the late Government. In reply to the last part of the Question, I would refer the hon. Member to the reply given to a question addressed to me by the hon. Member for Montgomery District on 19th October.

In reply to the further Question, the hon. Gentleman admitted that the German line was subsidised.

#### **British Indians in the Transvaal.**

**DR. RUTHERFORD:** I beg to ask the Under-Secretary of State for the Colonies whether seeing that, whereas immigration of our Indian fellow-subjects into the late Transvaal Republic was unrestricted save for the payment of a £3 entrance fee, the Government of the Transvaal Colony have refused to modify recently enacted legislation even to the extent of allowing a maximum of six highly-educated professional Indians in any one year; and whether, in order to renew wastage among the domiciled Indian community and to maintain their healthy existence as a community, His Majesty's Government will make friendly representations to the Government of the Transvaal recommending them to make this small concession.

**COLONEL SEELY:** The Act recently passed, the full text of which with the correspondence leading up to it will be found in the Blue-Book [Cd. 4327], has received the assent of the Crown and the Secretary of State is not prepared to

press the Transvaal Government to amend it. Various questions, however, have arisen with regard to the administration of the Act and the Secretary of State is in friendly communication with the Transvaal Government on the subject.

**MR. HAROLD COX (Preston):** I beg to ask the Under-Secretary of State for the Colonies whether British-Indians who acquired rights of domicile in the Transvaal in the days of the late Republic are still precluded from acquiring civil rights, may not own fixed property, are liable to removal into special locations, and must carry on their personal registration certificates containing descriptions of their personal peculiarities, details of their families, and their thumb impressions; and whether he can inform the House in what respect the pre-war grievances of our Indian fellow-subjects in the Transvaal have been remedied since the annexation of that country.

**COLONEL SEELY:** The British Indians in the Transvaal are subject to a number of disabilities, but my hon. friend's statement of them is a little too general in its terms, as they are entitled to own fixed property within Asiatic locations. His Majesty's Government have been and still are in friendly communication with the Transvaal Government with regard to these disabilities. The grievance which was the principal subject of complaint before the war was that Indians were liable to be confined to locations for purposes of trade. This, therefore, with some minor grievances, has been removed since the annexation.

#### **The Congo State.**

**\*SIR CHARLES W. DILKE (Gloucestershire, Forest of Dean):** I beg to ask the Secretary of State for Foreign Affairs whether any information can be placed before the House as to the position of negotiations with Belgium regarding the Congo State, and, in particular, whether the promised reply of His Majesty's Government to the last-published Belgian despatch has been delivered, and, if not, when it may be expected to be sent, and whether the Belgian Government has given any assurance as to radical alteration in the administration of the Congo Territory other than the general



assurance considered insufficient by His Majesty's Government.

**THE SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir EDWARD GREY, Northumberland, Berwick): The reply of His Majesty's Government to the last published communication from the Belgian Government is still under consideration, and will be decided as soon as possible. No assurances beyond those already published have been received from the Belgian Government.

#### **The Proposed European Conference.**

**CAPTAIN FABER** (Hampshire, Andover): I beg to ask the Secretary of State for Foreign Affairs if he can state whether the first proposal for a Conference of the European Powers came from Turkey to England; and whether the first object of the Conference will be to compensate Turkey for the infringement of her rights and to make such arrangements as will strengthen the new Government system in the Ottoman Empire.

**MR. LYNCH** (Yorkshire, W.R., Ripon): At the same time may I ask the Secretary of State for Foreign Affairs whether the proposals recommended by His Majesty's Government for submission to the contemplated Conference of the Powers were supported by or have received the approval of the newly-constituted Turkish Government; and whether he can state the nature of these proposals.

**SIR EDWARD GREY**: The object of the communications now taking place between the Powers is to secure some agreement on a programme which, without widening the area of disturbance, shall arrive at a settlement of the difficulties which have been created by recent events. As Turkey is the Power most adversely affected by what has taken place, His Majesty's Government trust that the first object of the Powers will be to secure compensation to Turkey, to safeguard her interests, and to strengthen the new régime in Turkey, the initiation of which produced such beneficial results in the administration of the Turkish Empire. The approval of the Turkish Government is a necessary

condition for the adoption of any programme for a Conference, and as their views have not yet been expressed upon the suggestions which have been made, I can make no further statement about these. The proposal for a Conference was made in the first place by Turkey, but the idea of a Conference was suggested at about the same time from more than one quarter.

**MR. LYNCH**: May I ask whether, in view of the great importance of this subject, the right hon. Gentleman cannot see his way to make to Parliament a clear statement defining the proposals made by His Majesty's Government?

**SIR EDWARD GREY**: I think it would be premature to make any statement about the proposals of any individual Power. The object of the communications between the Powers, in which of course Turkey is included, is to ascertain their own views before making anything public.

#### **Siam.**

**MR. MITCHELL-THOMSON** (Lanarkshire, N.W.): I beg to ask the Secretary of State for Foreign Affairs whether he is in a position to give further information with regard to the negotiations with Siam.

**SIR EDWARD GREY**: His Majesty's Government have under their consideration a Report prepared by His Majesty's Minister at Bangkok on certain points in regard to which they desired information; but I am not yet in a position to make any further statement on the subject of the negotiations.

#### **Egypt.**

**MR. J. M. ROBERTSON**: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the demand of a number of Egyptian politicians for Egyptian representation in the proposed constitutional assembly for Turkey; and whether, in view of this demand, he will urge upon the British Consul-General at Cairo the expediency of strengthening the constitutional element in the Government of Egypt.

SIR EDWARD GREY: During this year a scheme for representative provincial Councils is being elaborated in Egypt, and I cannot add to the general statement of policy already made at the opening of this session.

MR. J. M. ROBERTSON: Does not the right hon. Gentleman consider that this new development will create difficulty with regard to British administration in Egypt?

SIR EDWARD GREY: I see no signs of that whatever.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government are in a position to state when they will recommend His Highness the Khedive to start Parliamentary institutions in Egypt.

SIR EDWARD GREY: I beg to refer the hon. Member to the answer I have just given to the hon. Member for Tyne-side.

#### **Macedonia.**

MR. LYNCH: I beg to ask the Secretary of State for Foreign Affairs whether the members of the Financial Commission in Macedonia are at present exercising their functions; and whether any change is contemplated as regards the future of this Commission as a result of recent events in Turkey.

SIR EDWARD GREY: The answer to the first Question is in the affirmative. No change is in contemplation at present.

#### **Welsh Slate Quarries.**

SIR BERKELEY SHEFFIELD (Lincolnshire, Brigg): I beg to ask the President of the Local Government Board whether he can give the number of quarrymen employed in the Welsh slate quarries as compared with those employed ten years ago.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. Gladstone, Leeds, W.): I beg to answer this question on behalf of my right hon. friend. The number of persons employed in the Welsh slate quarries in the years

1897 and 1907, respectively, are as follows—

Year.	Inside the Quarries.	Outside the Quarries.	Total.
1897	3,861	5,220	9,081
1907	3,363	5,071	8,434

#### **Portsmouth Lock Fatality.**

MR. JOHN WARD (Stoke-on-Trent): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of a man named C. J. Vowels who was killed by accident while working on the new lock, Portsmouth Dockyard; whether his Department was represented at the inquest on Wednesday, 14th October; and whether any Report has been made upon the subject by the district factory inspector.

MR. GLADSTONE: I find, on inquiry, that the inspector received notice of the accident, and attended the inquest, but the accident proved to be one which, as it happened on an engineering work, is outside the present jurisdiction of the Factory Department. The question of accidents on engineering works is dealt with in the Building Operations and Engineering Works Bill, now before Parliament.

#### **The Truck Act.**

MR. JOHN WARD: I beg to ask the Secretary of State for the Home Department if he can say whether the Departmental Committee upon the question of truck have asked for any evidence upon the deductions of wages from workmen employed upon public works in course of construction; and whether they have now closed the taking of evidence; and, if so, at about what date are they expected to issue their Report.

MR. GLADSTONE: I am informed that no complaints have reached the Truck Committee in regard to deductions from the wages of workmen employed upon public works in course of construction, nor has any offer of evidence

upon the subject been tendered to the Committee. The Committee have now concluded the taking of evidence, and are considering their Report, which they hope to present shortly.

**Sir Ralph Littler.**

**MR. JOHN WARD :** I beg to ask the Secretary of State for the Home Department whether he has yet completed his inquiry into the recent sentences passed by Sir Ralph Littler at the Middlesex Sessions ; and what action he proposes to take in the matter.

**MR. W. THORNE :** I beg also to ask the Secretary of State for the Home Department whether he has completed his inquiries with reference to the sentences passed on two labourers by Sir Ralph Littler at the September Middlesex Sessions, wherein one man was sentenced to three years' penal servitude and two years' police supervision for stealing apples to the value of 1s., and the other was sentenced to twelve months' hard labour for stealing three penny eggs ; and whether he can now see his way clear to order the sentences to be reduced.

**MR. GLADSTONE :** I find, on inquiry, that Sir Ralph Littler had already decided to reduce the sentence of three years penal servitude to one of eighteen months hard labour, and that his decision had been communicated to the prisoner on 23rd September last. This man had three previous convictions of felony, for which he received sentences of six weeks hard labour, twelve months under the Borstal system, and fifteen months hard labour. Having regard, however, to the nature of his present offence, I propose to communicate with Sir R. Littler with a view to a further reduction of sentence. In the other case the prisoner had no less than nineteen previous convictions, including five of felony, and during the last ten years he has served eleven terms of imprisonment, ranging from fourteen days to three months. He gave notice of appeal against his present sentence, but abandoned it. In view of the criminal record of this man, I cannot think that the sentence of twelve months hard labour is excessive, and I am not prepared to recommend that it should be reduced.

**The Aliens Act.**

**MR. FELL :** I beg to ask the Secretary of State for the Home Department if he proposes to amend the instructions issued under the Aliens Act by his Department ; and if it is not possible by such instructions to prevent such evasions of the Act as took place recently at Hull in the case of the four Russian Jews deported as undesirable, but who afterwards got into the country at Hull by another ship.

**MR. GLADSTONE :** I have nothing to add to my statement last Tuesday that the question which has arisen at Hull is engaging my attention.

**MR. FELL :** Are the Regulations to be amended ? Does not the right hon. Gentleman consider that the arrival of these undesirables adds to the unemployment difficulty here ?

**\*MR. GLADSTONE :** When I have come to a decision regarding the Hull aliens the hon. Member can put a further Question.

**\*MR. BYLES (Salford, N.) :** When will the House see the annual Report on the working of this inhospitable Act ?

**Licensing Compensation Loans.**

**VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) :** I beg to ask the Secretary of State for the Home Department on what principle he acts in deciding whether to give or withhold his consent to applications from compensation authorities for leave to borrow under subsection 5 of Section 3 of the Licensing Act, 1904.

**MR. GLADSTONE :** I cannot say more than that I give my careful consideration to all the circumstances of any case in which application is made to me. In certain recent cases I have felt that I should not be justified in giving leave to borrow, which would have the effect of charging the compensation levies for future years with awards of compensation made on a scale which it is one of the objects of the Licensing Bill to replace by a less extravagant scale. If the hon. Member desires to bring any particular case

under my notice I shall be glad to consider it.

### **The Unemployed.**

MR. GOULDING (Worcester): I beg to ask the President of the Board of Trade what is the percentage of unemployed trades unionists in Germany and the United Kingdom according to the latest available figures.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. CHURCHILL, Dundee): I can give no comparative figures for reasons repeatedly explained in Answers to Questions in this House and fully set out in Appendix IX. to the recent Report [Cd. 4032] on Conditions in Germany.

EARL WINTERTON (Sussex, Horsa-ham) asked the right hon. Gentleman whether his attention had been called to the speech of one of his colleagues, in which he stated that there was more unemployment in Germany than in England, and whether the hon. Gentleman, when he made that statement, was in possession of official figures.

MR. CHURCHILL: My attention has not been called to the speech. But there is a discrepancy in the statement. According to my information there is at present more unemployment in this country than in Germany.

MR. RENWICK (Newcastle-on-Tyne): May I remind the right hon. Gentleman of the speeches made by his own colleagues during the Newcastle election?

\*MR. SPEAKER: I must remind the hon. Member, though he was formerly a Member of the House, that it is not permissible to make statements at Question-time.

### **Railway Companies' Political Subscriptions.**

LORD R. CECIL (Marylebone, E.): I beg to ask the President of the Board of Trade when he proposes to introduce the promised Bill for the purpose of forbidding statutory corporations to make contributions out of their funds towards political contests.

MR. CHURCHILL: I am not able at present to make any statement on this subject. I may, however, inform the noble Lord that Returns have been obtained from the railway companies giving details of their subscriptions to institutions and associations of various characters not under the control of the individual companies during the year 1907, and it is proposed to lay these particulars on the Table of the House.

### **The Milk Bill.**

MR. COURTHOPE: I beg to ask the President of the Local Government Board when the Milk Bill will be introduced.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I am afraid I cannot at present fix a date for this purpose.

MR. COURTHOPE: Will it be this session?

MR. JOHN BURNS: At any rate I hope it will be printed.

MR. WATT: Will the Bill apply to Scotland?

MR. JOHN BURNS: That Question should be addressed to the Scottish Local Government Board.

### **Old-Age Pensions.**

MR. W. THORNE: I beg to ask the President of the Local Government Board whether his attention has been called to the Carlisle Board of Guardians proposing a grant of 5s. weekly to the deserving poor above seventy years of age in consequence of the Old-Age Pension Act inflicting hardships in disqualifying paupers and whether it is the intention of the Local Government Board to prevent the Carlisle Board of Guardians carrying out their proposals.

MR. JOHN BURNS: My attention has been called to this matter. I do not think it would be a proper exercise of the powers of the guardians to order a fixed weekly sum as out-relief to all persons above a certain age to whom



that form of relief is given. The amount of the relief in any particular case should be determined by the necessities of that case. Although in some instances the conditions might be such that the proposed relief would be needed, in others this would not be so, and in the latter cases the additional relief could not properly be given. I have informed the guardians accordingly.

#### **Consumptive Sanatoria.**

**MR. HIGHAM** (Yorkshire, W.R., Sowerby): I beg to ask the President of the Local Government Board if he will issue a circular to local authorities, especially boroughs, pointing out the wisdom of contributing to the upkeep of consumption sanatoria, either by annual contribution or by a sum *per capita*, according to the number of sufferers from tuberculosis the authority may send to the sanatorium for treatment.

**MR. JOHN BURNS:** I propose to issue an Order to provide for the notification to medical officers of health of pauper cases of pulmonary tuberculosis, and I also propose, when sending copies of the Order to the sanitary authorities, to draw their attention to the administrative action which can be taken in connection with such matters as that referred to in the Question. This will, I hope meet the object which my hon. friend has in view.

#### **The Motor Car Act, 1903.**

**MR. CATHCART WASON** (Orkney and Shetland): I beg to ask the Prime Minister if he is aware of the feeling of dissatisfaction that prevails in the country owing to the action of a section of the community habitually and determinedly disregarding the speed-limit imposed by the Motor Car Act, 1903, and especially the abuse and offensive terms applied to police and magistrates for trying to enforce the said limitation; and if, in view of the necessity of the matter and also the difficulties connected with legislation, he would appoint a Committee of the House, representing impartially the different views held on the subject, to suggest legislation that might be passed by consent,

**MR. JOHN BURNS:** The Prime Minister has asked me to reply to this Question. I am aware of the feeling on the subject to which it relates. I am afraid that my hon. friend is too sanguine in thinking that the various interests concerned would agree to legislative proposals in connection with this matter, and hence it does not seem to me that there would be likely to be advantage in the appointment of a Committee as suggested. My hon. friend is perhaps aware that I have recently issued a circular to local authorities drawing attention to the existing law and pressing upon them the importance of its enforcement. I am also in consultation with my right hon. friend the Home Secretary with regard to the feasibility of further action.

**MR. MARKHAM** (Nottinghamshire, Mansfield): Is the right hon. Gentleman not aware that the regulations issued by his Department are habitually and daily broken in every street in London?

**MR. JOHN BURNS:** If that be so, the responsibility rests with the local authority. The London County Council would be doing its duty by making representations to me on this matter, when the Home Secretary and I would do all we could to act most promptly and effectually in limiting speed or doing anything reasonable to protect life and property.

**MR. MARKHAM:** The County Council has nothing whatever to do with these Regulations; they are in the hands of the Home Secretary.

**MR. JOHN BURNS:** In that case I urge my hon. friend to address the Question to the Home Secretary.

**MR. MARKHAM:** Is the right hon. Gentleman aware that whenever a Question is addressed to the Home Secretary he refers me to the President of the Local Government Board?

**MR. JOHN BURNS:** On behalf of myself and my right hon. friend I shall be pleased to answer any Question of which notice has been given. We have

no desire to evade criticism or to burke discussion.

#### Precautions against Influenza.

SIR PHILIP MAGNUS (London University): To ask the Prime Minister whether, in view of the possible recurrence of the influenza epidemic during the approaching winter months, he will reconsider the question of the adjournment of the House for a half-hour, between the hours of seven and nine, in order that the windows may be opened for the admission of fresh air and the better ventilation of the Chamber.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): Without expressing any opinion as to the advisability of the suggestion in connection with the possibility of a recurrence of the influenza epidemic, I would point out that, as explained on many previous occasions, the system of mechanical ventilation does not lend itself to the opening of windows. A much better result can be obtained by running the appliances at full speed during an adjournment; but even this requires to be very judiciously done in the winter season, otherwise it might be difficult to "catch-up" the lowered temperature which would necessarily result in severe weather. The matter of an adjournment or a recurrence to the old informal break in the sitting is one which the Prime Minister could only consider if he was convinced that it represented a great weight of opinion in all quarters of the House.

MR. PIRIE (Aberdeen, N.) asked the right hon. Gentleman whether he had read the pamphlet by the hon. Member for North Bucks, in which it was stated that though the ventilation might be the best in the world the result of it was the worst known, and whether he would take steps to pay attention to this matter.

MR. L. HARCOURT: I have perused the pamphlet, but I have not arrived at the same conclusion.

SIR PHILIP MAGNUS suggested the consideration of an alteration in the

present mechanical system of ventilation in order, if possible, to open the windows.

#### Hop Cultivation.

MR. COURTHOPE: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, how many acres of hops have been cultivated this year and in 1907 in Great Britain; and whether so great a decrease in acreage has been recorded in any previous year.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. J. A. PEASE, Essex, Saffron Walden, for Sir EDWARD STRACHEY): The acreage under hops this year was 38,921 acres, as compared with 44,938 acres in 1907, a decrease of 6,019 acres. The decrease in 1887 as compared with 1886 was as much as 6,421 acres.

#### Unpicked Hops.

MR. COURTHOPE: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, how many acres of hops have this year been left unpicked owing to the disastrous state of the hop market.

MR. J. A. PEASE (for Sir EDWARD STRACHEY): It is estimated that some 3,500 acres of hops have from one cause or another been left unpicked this year.

#### Wallsend Small Holdings Society.

MR. GEORGE ROBERTS (Norwich): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been drawn to an application made by the Wallsend Small Holdings Society, Limited, to the Northumberland County Council for 212 acres of land; and whether he can state what steps are being taken to provide the land thus applied for.

MR. J. A. PEASE: The Board have been in communication with the

Northumberland County Council on this subject, and they are informed that the Council have instructed their land agent to ascertain whether any suitable land is available for satisfying the requirements of the society.

Small Holdings in Kent.

MR. GEORGE ROBERTS: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he can state if the Board or the Kent County Council has succeeded in providing a small holding for David Nicholls, against whom an eviction warrant was made by a bench of magistrates sitting at Tonbridge, on 20th July last, upon the application of Nicholls' landlord, the reason alleged being that Nicholls had applied for land under the Small Holdings Act.

MR. J. A. PEASE: It has not, I am sorry to say, been found possible as yet to provide a small holding for Mr. Nicholls, but the acquisition of a farm for the purpose of providing small holdings is under the consideration of the county council, and this would enable them to comply with his application.

MR. MORRELL (Oxfordshire, Henley) asked if there was anything to prevent the Board of Agriculture taking action in this case?

MR. J. A. PEASE said he did not think they should interfere until, at any rate, there had been an opportunity of acquiring the farm.

Small Holdings in England and Wales.

MR. R. HARCOURT (Montrose Burghs): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will now state the acreage of land acquired under the Small Holdings Act by each county in England and Wales separately.

MR. J. A. PEASE: The following table gives the information for which my hon. friend asks—

County.	Area acquired.
<i>England—</i>	<i>Acres.</i>
Bedford - - -	375½
Berks - - -	1,396½
Buckingham - - -	300
Cambridge - - -	1,377½
Cheshire - . -	853
Cornwall - - -	186
Dorset - - -	747½
Durham . - - -	173
Essex - - -	465½
Gloucester - - -	504½
Hampshire - - -	15½
Hertford - - -	404
Huntingdon - - -	514½
Isle of Ely - - -	596
Isle of Wight - - -	344½
Kent - - -	149½
Lincoln—Holland - - -	653
„ Kesteven - - -	344½
„ Lindsey - - -	274
Norfolk - - -	1,212½
Northampton - - -	408
Oxford - - -	233
Peterborough, Soke of -	115½
Rutland - - -	25
Salop - - -	154½
Somerset - - -	42
Suffolk, East - - -	202½
Westmoreland - - -	45
Wilts - - -	483
Worcester - - -	126½
York, East Riding - -	288
Total -	13,009½
<i>Wales—</i>	
Anglesey - - -	103½
Carmarthen - - -	21½
Montgomery - - -	56½
Radnor - - -	280
Total -	461½
Total, England and Wales	13,471½

**Scottish Valuation Assessors.**

MR. WATT: I beg to ask the Secretary for Scotland whether he is aware that many valuation assessors for counties in Scotland are resident many miles from the towns and burghs where their work of assessing for valuation has to be done; that it is in many instances impossible for these officials to even see the premises which they are called upon to value; and whether in these circumstances he will appoint local assessors in each town or burgh and divide among these the salaries at present paid to men resident in burghs inconveniently situated for carrying on the work.

MR. SINCLAIR: No complaints in the sense suggested have reached me. With regard to the latter part of the Question I may remind my hon. friend that the appointment of local assessors does not rest with me but with county and town councils.

**Scotch Crofters Commission.**

\*MR. COCHRANE (Ayrshire, N.): I beg to ask the Secretary for Scotland what is the total expenditure from 1886-7 to 1906-7 on the Crofters Commission, including salaries, travelling expenses, incidental expenses, and remuneration to sheriff clerks; what is the number of fair rents, of inspections, of applications for enlargement of holdings, of appeals, and miscellaneous applications disposed of in the same period by the Crofters Commission; and what is the average cost of fixing the fair rents.

THE SECRETARY FOR SCOTLAND (MR. SINCLAIR, Forfarshire): The total cost of the Commission since its establishment in 1886 to 31st March, 1907, has been £123,976 3s. The number of fair rent applications, including applications for revaluation of holdings, disposed of down to 31st December, 1907, has been 20,892, but to arrive at the average cost in each case it is necessary to add other applications under the Act, during the same period, most of which occupied more time in disposing of them than

double the number of ordinary fair rent cases would have occupied. These were 3,561 applications for enlargement of holdings; 428 miscellaneous applications (including applications by landlords for resumption of parts of crofter holdings, and under which upwards of 1,000 crofters were called as respondents); 105 applications to sist proceedings for removal; 707 applications to prohibit the sale of crofters effects upon their holdings; 250 applications under the Crofters Common Grazings Regulation Act, 1891; and 1,191 appeals under the Delegation of Powers Act, 1888; or a total of 27,134 applications disposed of. These figures show an average cost of £4 11s. 4½d. for each case.

\*MR. COCHRANE: Has the attention of the right hon. Gentleman been called to a statement by the Prime Minister on the authority of the Lord Advocate to the effect that the cost of fixing fair rents worked out at an average of 1s. 6d., while the right hon. Gentleman himself has just stated that the average cost of fixing fair rents by the Crofters Commission is £4 11s. 4½ for each case! Can he explain the discrepancy?

MR. SINCLAIR: The comparison was not made on the same basis.

\*MR. COCHRANE: Perhaps the right hon. Gentleman will see that the Lord Advocate is supplied with correct figures in the future.

MR. COCHRANE: I beg to ask the Secretary for Scotland if he will state for each year, 1902-3, 1903-4, 1904-5, 1905-6, 1906-7, the number of fair rents fixed by the Crofters Commission, the cost of the salaries, travelling, and all other expenses incurred by the Crofters Commission, the amount of the rents dealt with and the sum by which they were reduced, and the amount of arrears which were cancelled, respectively.

MR. SINCLAIR: The information desired by the hon. Member is as follows—



TABLE referred to. Crofters Commission—Applications disposed of 1903-7, &c.

	1903.			1904.			1905.			1906.			1907.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Fair Rent Applications disposed of	28			81			130			423			160		
Amount of Old Rents	72	15	6	390	4	0	450	18	9	2,168	11	6*	566	17	2
"    Fair Rents	66	18	6	356	6	0	418	6	8	2,064	5	5†	529	13	6
"    Reduction	5	17	0	33	18	0	32	12	1	104	6	1	37	3	8
Total Arrears	262	5	0	19	10	0	18	19	9	114	10	0	514	9	8
Arrears Cancelled-	169	2	6	13	10	0	1	15	0	7	0	0	313	9	8
Arrears ordered to be paid	93	2	6	6	0	0	17	4	9	107	10	0	201	0	0
Enlargement Applications	76			61			46			102			133		
Miscellaneous Applications	11			12			18			5			13		
Applications by Landlords for resumption of parts of Holdings	7			3			5			7			3		
Number of Crofter Respondents in same	74			34			—			254			—		
Sists to prohibit removal and sale of Effects	1			1			16			3			539		
Applications under Grazings Act	3			9			1			1			5		
Appeals under the Delegation of Powers Act	—			—			2			—			3		
Cost of Crofters Commission for each year ending 31st March	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
	4,333	7	8	4,328	9	11	4,371	17	4	4,262	19	5	4,569	15	7

\* Exclusive of annual value of 2,976 acres on Kilmuir Estate assigned to crofters in enlargement of Holdings.

+ Inclusive of " " " " " "

**Ballyreen Disturbances.**

MR. HALPIN (Clare, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, when fifty young men in Doolin, Toglea, Ballinalicken, and Lisdoonvarna were informed that they would be arrested on the charge of cattle-driving, they walked in a body to Ballyreen police barrack and gave themselves into the charge of the sergeant, and that the same young men and their friends when they were walking quietly to the petty sessions Court at Ennistymon were met outside the town by a large body of police, who, without any provocation, tore the flag from them when they saw the inscription on it of "The Land for the People. Down with the Landlord Ranchers;" and will he say why this action was taken by the police.

THE CHIEF SECRETARY FOR IRELAND (Mr. BIRRELL, Bristol, N.): I have already dealt fully with this incident in my reply to the Hon. Member's Question of the 15th instant. I am informed by the constabulary authorities that when the police properly prevented this disorderly procession from approaching the courthouse, the crowd attacked the police with sticks and stones, knocking down and injuring five constables. It was only then that the police charged the crowd with batons and took possession of the banner. It is the fact that the young men gave themselves up in the first instance, but this fact affords no excuse for the subsequent misconduct of these men and their friends in approaching the courthouse in a disorderly and intimidatory manner.

MR. WILLIAM REDMOND: May I ask the right hon. Gentleman if his attention has been called to the allegation made of what is described as a disorderly procession, but which is simply the men summoned going to the courthouses freely in order to stand their trial on the charge made against them, and might I ask whether his attention has been called to the complaints of the police made by several priests in the district, and other responsible persons, who entirely deny the facts as stated by the right hon. Gentleman, and whether he

will, under these circumstances, and in view of the character of the gentlemen who dispute the description given by the police, order an inquiry to be made!

MR. BIRRELL: I have made full inquiries, and am fully satisfied of the truth and accuracy of the statements made by the police.

MR. LONSDALE (Armagh, Mid.): Is the right hon. Gentleman aware that the young men concerned in this cattle-drive were following the advice of the hon. Member?

MR. MOORE (Armagh, N.): May I ask what steps the Government took with regard to the assault committed by the crowd of patriots on the police?

MR. BIRRELL: I think considerable steps were taken.

MR. WILLIAM REDMOND: Will the right hon. Gentleman say whether, if I furnish him with written complaints as to the action of the police by the priests and other responsible people in the neighbourhood, he will consider those statements?

MR. BIRRELL: I am always prepared to consider any statement made authoritatively by responsible persons.

MR. WILLIAM REDMOND: Then I will get them.

**Irish Land Purchase.**

MR. SHEEHAN (Cork County, Mid): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the action of various landowners in Ireland who have been cutting up their demesnes and other untenanted land, dividing them into strips of 20, 30, or 40 acres, placing a rent on these and then offering them for public auction stating, as an additional inducement for high investment, that incoming tenants can purchase under the Land Act of 1903; whether this policy of the creation of new tenancies on untenanted land by the payment of extravagant competitive fines is ever favoured by the Government or the Estates Commissioners; will steps be

taken in the promised land legislation to deal with this evil in the Irish land system; and will he say whether sales, under the Purchase Act, to tenants created by this extraordinary method of public auction will be facilitated by the Estates Commissioners, as is at present assumed in every instance and so set forth in their auction advertisements by the selling owners.

**MR. BIRRELL:** The Estates Commissioners inform me that some such cases as are referred to in the Question have come under their notice. The Commissioners do not favour the practice because, if it were largely resorted to, untenanted lands might be disposed of by owners to large farmers, and the area available for sale to the Estates Commissioners for the enlargement and improvement of uneconomic holdings and relief of congestion generally would consequently be reduced. The question whether it would be desirable to deal with this matter by legislation will receive the careful consideration of the Government in connection with the forthcoming measure for the Amendment of the Irish Land Laws.

**MR. MOORE:** Is it worse for a farmer to buy land from a neighbouring farmer than for a neighbouring landlord to sell to a neighbouring farmer?

**MR. BIRRELL:** But this was not contemplated under the provisions made for advances of public money.

#### **Irish Intermediate Education.**

**MR. LONSDALE:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any decision has been arrived at with regard to the suspension of Rule 14 (b) of the Intermediate Education Board for 1909.

**MR. BIRRELL:** No, Sir; but I hope to be in a position to announce the decision of the Intermediate Education Board in the course of a few days.

#### **Corofin Outrage.**

**MR. LONSDALE:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the result of the police inquiries into the

wounding of John Cahill, of Caherbullane, near Corofin, by gunshots, on 10th October; and whether any persons have been arrested.

**MR. BIRRELL:** I would refer the hon. Member to the answer which I gave yesterday to a similar Question put by the hon. Member for East Down, to which I have nothing to add.

#### **Louth Cattle Drive.**

**CAPTAIN CRAIG:** I beg to ask the Chief-Secretary to the Lord-Lieutenant of Ireland whether he is aware that a cattle-drive took place about 23rd August last off the lands of Johnstown, on the Kearney estate, Louth, when upwards of 200 head of cattle, sheep, and horses were cleared off the farm and all the gates broken down and removed; what arrests have been made; and what sentences passed on the perpetrators of the outrage.

**MR. BIRRELL:** The police have no information showing that the cattle-drive referred to in the Question took place.

#### **Irish Land Act (1903) Sales.**

**CAPTAIN CRAIG:** I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the amount of money at present in the hands of the Estates Commissioners to meet sales under the 1903 Land Act, and the total amount of sales at present in their hands awaiting payment in which title has been proved and in which title has not been proved but agreements have been signed by landlords and tenants.

**MR. BIRRELL:** This Question appears to be based upon a misapprehension. The Estates Commissioners do not hold in their own hands the funds for making advances, but they draw upon the National Debt Commissioners each week for such sums as are required to meet all cases which are ripe for advances. In the latter part of the Question it seems to be assumed that advances can be made as soon as title has been proved, but this is not the case. The lands have to be inspected and declared to be an estate, and other necessary proceedings have to be taken before an advance can be made. In the case of direct sales from landlords

to tenants the amount applied for but not yet advanced is about £41,000,000.

CAPTAIN CRAIG: How much is in the hands of the National Debt Commissioners for this particular purpose?

MR. BIRRELL: The National Debt Commissioners have at present sufficient in their hands to meet the demands made upon them week by week.

CAPTAIN CRAIG: That is to say, they have £41,000,000 ready?

MR. BIRRELL: No.

CAPTAIN CRAIG: Then how much?

MR. BIRRELL: I cannot say.

MR. MOORE: Is there any limit imposed on the Estates Commissioners as to the amount they can draw every week?

MR. BIRRELL: No, Sir.

#### **Derrymore Outrage.**

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on Wednesday night, 19th August last, about ten o'clock, a daring shooting outrage took place at Derrymore, East Clare, the residence of General E. A. Gore, D.L., when fifteen shots were fired from powerful rifles at his mansion; what arrests have been made; what sentences have been passed on the perpetrators of the outrage; and what reason is assigned by the police for the attack.

MR. BIRRELL: On the occasion in question, thirteen rifle shots were fired in quick succession from a point on the public road commanding a view of General Gore's house at about 800 yards distance. The house does not seem to have been hit. No arrests have been made. It would be contrary to practice to state any suspicions the police may have as to the reasons for the attack.

MR. WILLIAM REDMOND: May I ask the right hon. Gentleman very respectfully if it is not a fact that there

is not a single tittle of evidence to show that the rifle shots were fired from the road or elsewhere, and that there are no traces whatever to be found of firing?

MR. BIRRELL: I can assure the hon. Member that that is not so.

MR. MOORE: Have the police inquired whether ammunition was purchased from the neighbourhood?

MR. BIRRELL: I have not made such inquiry, but I will do so.

#### **Sheehan's Cross Outrage.**

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on Tuesday night, 11th August last, a shooting outrage took place near Sheehan's Cross, about eight miles from Kilrush, on the main car line to Ennis, West Clare, when Mr. James Griffin was twice fired at from behind a hedge; what arrests have been made and what sentences have been passed on the perpetrators of the outrage; and what steps have been taken for the future protection of Mr. Griffin.

MR. BIRRELL: I refer to the answers which I gave to Questions on this subject put by the hon. Member for Mid Armagh on 14th and 21st instant. Two shots were fired at Mr. Griffin on the occasion referred to, and he was slightly injured. He returned the fire, but apparently without effect. No arrests have been made. Mr. Griffin is receiving constant police protection.

#### **Bookmakers in Ireland.**

MR. SLOAN (Belfast, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the number of cases tried in Dublin and Belfast during the present year brought against bookmakers for the infringement of the betting laws; and the number of convictions in each place, together with the highest and lowest fines imposed.

MR. BIRRELL: The number of cases tried in Dublin during the present year was thirty; there were twenty-six convictions, and one case is still pending.



The highest and lowest fines were £50 and £2, respectively. In Belfast there were thirty-eight cases and thirty convictions, the highest and lowest fines being £10 and £3, respectively.

#### **Poor Law Officers and Parliamentary Returns.**

MR. SLOAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if, when the Local Government Board sanction payments to Poor Law officers for the preparation of Parliamentary Returns ordered by this House, such remuneration will be paid according to a scale; and will unions who refuse to pay officers or offer insufficient payments be compelled to give adequate remuneration for work done by their officers.

MR. BIRRELL: In determining the amounts which guardians may pay to their officers for the preparation of Parliamentary Returns the Local Government Board take into consideration the particular circumstances of each case. Payment by scale would not be universally equitable, but the Board endeavour to ensure that the remuneration in the several unions shall be settled on a uniform basis. If any case of refusal to give adequate remuneration to officials is brought under their notice, the Board are prepared to address the guardians on the subject.

#### **Irish School Teachers.**

MR. SLOAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if, where a national school teacher has complied with the Education Board's rules and notified his manager of illness, he can say what course he should adopt where the manager refuses to certify for teacher's salary without a reduction, although no rule of the Board was violated.

MR. BIRRELL: I have referred this Question to the Commissioners of National Education, who inform me that they can express no opinion on a hypothetical case. They are prepared to consider any particular case if the facts are submitted to them.

#### **Oatquarter School Teacher.**

MR. SLOAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the fact that £2 17s. 6d. was deducted from the salary of the teacher of Oatquarter National School, Roll No. 14,532, for the quarter ending 31st March, 1907, although the notice required by the Board's rules in the case of illness of a teacher was served on the manager of the said school within the time required by Rule 92 (c) and in view of the fact that the teacher was only absent through illness one half-day school, he will order the deduction to be paid to the teacher forthwith.

MR. BIRRELL: This matter is entirely one for the decision of the Commissioners of National Education, who inform me that they have nothing to add to the reply which I gave on their behalf to the hon. Member's Question on the subject on 23rd July last.

MR. SLOAN: Then has the teacher no redress at all when these deductions are made from his salary?

MR. BIRRELL: The deduction was made in this case because the teacher closed the school and the managers declined to certify his claim for payment. I cannot interfere in the matter.

#### **Irish Licensing Laws.**

MR. FETHERSTONHAUGH (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is yet in a position to state if the Irish Government intend to introduce during the next session a Bill for the reform of the Irish licensing laws; if not yet in such a position, can he say at about what period of the present session he will be able to make a definite pronouncement on the subject, as the need for amendment of the law is far more urgent than in England.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): My right hon. friend the Prime Minister recently informed the hon. and learned Member that the Government cannot make any pledges

as to the introduction of licensing legislation for Ireland next session. I regret that I am not at present in a position to add anything to that answer.

### Housing Bill.

MR. LANE-FOX: I beg to ask the Prime Minister whether the Government still hope to pass the Housing Bill in this session, in view of the very slow progress made with it in Committee; and whether, under the circumstances, he will save the time of the Members of the Grand Committee by withdrawing the Bill.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): I see no reason for withdrawing this Bill. My right hon. friend the President of the Local Government Board has every expectation that the Committee stage will not be unduly prolonged, and, under these circumstances, it is our intention to proceed with the Bill.

MR. LANE-FOX: Has the right hon. Gentleman taken into consideration the fact that there are sixty-one clauses and six schedules to this Bill and the Committee are only half-way through the third clause? There has been no sort of obstruction, but only a great deal of oratory.

[No Answer was returned.]

### Public Accounts Committee.

LORD R. CECIL: I beg to ask the Prime Minister when he proposes to give a day for the discussion of the Report of the Public Accounts Committee.

MR. ASQUITH: I am afraid I cannot fix a time at present.

\*COLONEL R. WILLIAMS (Dorsetshire, W.): I would remind the right hon. Gentleman he was good enough at the end of last session to promise me a day.

### Licensing Bill.

MR. FELL: I beg to ask the Prime Minister if he has had any calculation

made of the number of persons who have been thrown out of employment by the introduction of the Licensing Bill.

MR. ASQUITH: No, Sir; it is impossible to make any trustworthy calculation.

MR. FELL asked whether the right hon. Gentleman would take into consideration the decrease of work that must follow from the necessary cessation of all building work on licensed premises. Many had been thrown out of employment through the arbitrary action of owners of tied houses.

MR. H. C. LEA (St. Pancras, E.) asked whether it was not the fact that 150,000 men had been thrown out of employment by the introduction of the Licensing Bill.

MR. ASQUITH: That is a perfectly ridiculous statement.

MR. BRIGHT (Oldham): I beg to ask the Prime Minister whether he will be willing, on the report of the Licensing Bill, to insert words providing that in the local options which are to be enacted by Parliament on the termination of the reduction period other methods of public control than limiting or reducing the number of licences shall be included.

MR. ASQUITH was understood to reply in the affirmative, adding that if a provision of this kind were made it was desirable that every possible option should be given.

MR. S. COLLINS (Lambeth, Kennington): How?

### SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had discharged the following Members from Standing Committee C. (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): Mr. Long and Mr. Myer; and had appointed in substitution (in respect of the said Bill): Captain Clive and Dr. Pollard.

Report to lie upon the Table.

## LICENSING BILL.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 9 :

\*MR. CAVE (Surrey, Kingston) said that in moving the omission of subsection (1) he wished to find out exactly what the clause meant. There was some doubt both as to the wording of the clause and as to the application of previous declarations of the Government in the matter. In the first place, the clause proceeded at present by licensing districts. They all knew that in an earlier clause a change was made from licensing districts to parishes and urban areas, and he thought it would be of interest to know whether a similar alteration of policy would be made in this case. In the second place, he wanted to call attention to this: the clause provided that if a resolution for further reduction was passed, then the reduction was to be made, but the clause omitted to say by whom that resolution was to be passed. There was nothing in the whole of the clause to show whether it should be a resolution of electors, or of justices, or of somebody else. So far as the clause itself went, it might be a resolution passed at a public meeting called by the United Kingdom Alliance. He dared say he would be told that the intention was that there should be a similar resolution to that in Clause 2; but if that was so, the clause wanted a great deal of alteration, and here again some of that re-drafting already promised ought to be made as soon as possible. It was impossible to construe the clause as drawn in that way, and they would certainly expect, what they were now accustomed to, a recasting of the clause. In the next place if a resolution of parochial electors was intended, was the resolution to be passed by a bare majority, as in Clause 2, or by a majority of three-fifths, as in the Scottish Local Option Bill, or of two-thirds, as in the amended Clause 3 of the Bill? According to the policy of the Government hitherto, immediate local veto was to be obtained by a bare majority and local veto fourteen years hence by a two-thirds majority. On which of these

principles was this clause to be framed? It was a vital matter to everybody concerned. Then, again, were off-licences to be included? Under Clause 2 of the Bill they were certainly included, and under Clause 3 as amended he thought they were included, but they were told that that was a slip on the part of the Government. Were they to be added by the Government to the present clause? If all this happened, the effect of the clause was this, that if a resolution was passed, then immediately, as he gathered, there was to be made in the parish or area in question either a reduction of licences by 50 per cent. more than the statutory reduction, or a reduction by 200 per cent. more than the statutory reduction, or the immediate absolute extinction of all on-licences of any kind. In other words, this was something quite different from what they were discussing the other day, viz., a nebulous prohibition fourteen years hence. It was, or might be, the immediate prohibition of all the licences in a district. Then, as he understood the clause—and the learned Solicitor-General did not stop him, so he presumed his reading was correct—no licensee was to have the right of appeal. Supposing a resolution for partial reduction was passed, the houses chosen were to have no right of appeal; they were to be immolated, and they were to have no opportunity of going to a higher authority. If extinguished during the reduction period, they would be entitled to compensation, but if extinguished after the reduction period, they took no compensation at all. He thought he was right in his reading. If so, they were placed in a very serious position indeed. They had a proposal involving the possibility of immediate prohibition. They had had one discussion on the matter, and he was not now going through all the arguments against local veto, but he wanted shortly to indicate why he would give his strong and unalterable opposition to any proposal of that kind. In the first place, let them look at the tyranny of the thing. Whatever the majority might be in any particular parish or area, there would always be a mass of individuals, perhaps in a minority, who did desire to consume alcohol in a licensed house. Nobody contended that it was immoral, and the doctors said it was desirable. At all events they had a mass of people who

preferred to take their drink in that way. He referred the Committee to what was said some years ago by a Liberal statesman on this matter. Speaking on a Licensing Bill Sir William Harcourt said :—

“ Liberty does not consist in making others do what you think right. The difference between a free Government and a Government which is not free is principally this : that a Government which is not free interferes with everything it can, and a free Government interferes with nothing except what it must. A despotic Government tries to make every body do what it wishes. It is this practice of allowing one set of people to dictate to another set of people what they shall do, what they shall think, what they shall drink, when they shall go to bed, what they shall buy and where they shall buy it, what wages they shall get and how they shall spend them, against which the Liberal Party have always protested.”

That speech was made by Sir William Harcourt in 1872, and he did not think that statesman altered his views. Later on Sir William Harcourt said—

“ The policy of the Liberal Party has been for generations a policy of emancipation from restriction, and if it is now to set to work to forge fresh fetters for the free, I myself will have no part in such a perversion. I am against the whole system of petty molestation and irritating dictation, whether by a class or by the majority. I do not admire the grand-maternal Government which ties night-caps on a grown-up nation by Act of Parliament.”

So much for the tyranny of this proposal. He would next deal with the point that where they had restrictions without strong public feeling behind them they always got evasions. It was impossible for anybody who had studied the facts to doubt that if they were going to enforce prohibition upon an unwilling minority they would not get the law obeyed, and instead of doing good they would do harm. He always accepted with a good deal of hesitation figures given them from private sources as to the operation of local veto in other places, because a good deal depended upon the quarter from which they came. He was not satisfied with the figures either for or against prohibition from private sources, but he relied on the official figures, and those who had studied them must be convinced that the mere reduction of licences did not produce increased sobriety or a decrease of drunkenness. If they merely suppressed on-licences, leaving untouched the other sources of supply, they were taking a step which to him seemed childish.

Mr. Cave.

Licences were granted on the hypothesis that they were required, and if they suppressed something which was granted to meet a demand, if they prevented men from buying in the open shop, they would certainly buy at the off-licensed house or supply themselves from another source. Therefore the prohibition or suppression of one particular mode of sale was bound to be ineffective. If they were going to suppress all sources of supply as some hon. Members wished, then they would simply drive the evil in, and they would get the same results as had been found in other places where that particular method had been tried. He wondered whether hon. Members had read an account given by the hon. Member for Woodstock of the result of his visit to the State of Maine in the United States. It illustrated well what happened everywhere when they attempted to suppress by law something which public opinion did not commend. The hon. Member wrote—

“ The enforcement of the prohibition law is, as I have already said, carried out at present in Portland with a thoroughness and severity hitherto unknown. Raids, arrests, and fines are the *crambe repetita* of the Police Court annals ; no open saloon exists, the Liquor Agency is altogether above suspicion, and no hotel will under any pretext furnish the visitor with any form of intoxicant. Nevertheless, what do we find ? A few weeks ago I visited Portland, and after dinner at my hotel, took a walk with a friend through the town. At 8.30 a successful police raid was directed against the Atwood Cafe in Center Street. Fifty dozen bottles of Budweiser beer, and several dozens of ‘ Bass ’ were captured and removed in patrol wagons. About ten o’clock I asked a young man who appeared to be in charge at the restaurant if I could get a glass of beer and he said that he would have been delighted to accommodate me, but every bottle of beer had been removed in the raid. This young person appeared to be quite cheerful ; he seemed to regard his losses as the fortune of war, and the restaurant had probably realized considerable profits on the previous sale. Leaving this optimist we soon afterward reached the doorway which somehow suggested alcohol. I entered, and on passing through an inner door found myself in an ordinary bar with the familiar white handles ranged along its inner side. Placing five cents on the counter I was promptly served with a glass of beer. Half a dozen other men were drinking, and while I was inside breaking the law in order to gain information, a powerfully built man who stood at the end of the room handed over flasks of whisky to several disreputable looking individuals who entered the bar quickly and as quickly disappeared. These men are known as ‘ pocket-pedlars ’ and sell spirits at most of it fiery and maddening stuff—at exorbitant prices to customers whom they chance to meet.”



The article went on to deal with other matters which were well worth reading, and it concluded with this statement—

"The net result is that during the week I was there no fewer than fifty-eight arrests for intoxication took place, and the average for the year actually amounts to between forty and fifty per week, which in a population of 60,000 works out for Portland to about forty per thousand inhabitants per annum—that is three times as bad as our worst drinking centres, the seaport towns and mining counties, six times as bad as London, and nine times as bad as our manufacturing towns."

\*MR. LEIF JONES (Westmoreland, Appleby): Was that in a prohibition State or a no-licence district in a local option State?

\*MR. CAVE said it was in Maine, and it was in a town which was in the same position as this clause would reduce Wales and Monmouth to. The article proceeded—

"Such statistics cannot, it is true, be cited as absolutely conclusive evidence in these cases, for they do not cover all the ground, but after all they form practically all the available data we possess for comparisons between one town and another, and they certainly lend support to the view of practically every ordinary level-headed citizen one meets, that the prohibition law is in many respects a hypocritical farce as far as the larger towns are concerned."

So much for the certainty of evasion in the case of passing a measure of this kind. The other objections to local veto were well known. It would lead to frequent polls and canvassing of a most objectionable kind. It would give to the publican a precarious tenure, which always led to the bad conduct of public-houses, and in the end would lead to a great increase in the very kind of drinking which they desired to put an end to. It also meant a grievous loss to the men whose houses were suppressed whether they were brewers or private owners or licensees. Under this Bill the passing of a resolution in Wales would mean ruin to a number of people, because the compensation to be paid under this measure was nothing like the market value. For the reasons he had put forward and for other reasons he would always be opposed to a measure of prohibition. Several hon. Members opposite had told them plainly that they were opposed to prohibition and to local veto. Some of them had

refrained from voting either against or in favour of the local veto proposals in Clause 3, because it was understood that those provisions would not take effect without the passing of a further Act of Parliament. That excuse, however, was of no avail upon this clause, which meant immediate local veto in Wales. He claimed that hon. Members opposite who were opposed to local veto ought to vote on this clause in accordance with their opinions. He was glad to see in his place the hon. Member for Huddersfield who made so earnest and interesting a speech the other night on this point. The hon. Member not only opposed local veto, but he gave reasons for his opposition. He should be glad to know what line the hon. Member intended to take on this Amendment, and whether he intended to support the Government or not. The same observation applied to other hon. Members who were present. He was moving this Amendment not on the footing of opposition to the whole Bill, although he was opposed to it. He hoped to have the support in the division lobby of all those who were opposed to local veto. The *Westminster Gazette* had an article recently in which the writer pointed out that by adopting local veto the Government were departing from the main lines of the Bill, and advised the Government not to press the point. He was entitled to say that this clause was entirely separable from the rest of the Bill, and he hoped they would have the real opinion of the House reflected in the division on this clause. He knew that anybody who took upon himself to oppose any part of this Bill, took a certain amount of responsibility on his shoulders. They had their own views as to what were the proper remedies for the evils which they all admitted existed. When he listened to the hon. Member for Huddersfield the other night, he found himself entirely in agreement with the final part of his speech, in which he said that the real remedy was not to be found in attacking public-houses, but in improving the conditions under which alcohol was sold. They would find in the Blue-book for 1907 figures which showed that drunkenness was the greatest where there was the greatest density of population.

\*THE CHAIRMAN: Really the hon. Gentleman is now going a little too wide

of the Amendment. The general question of the right remedy for the prevalence of drunkenness hardly arises on this Amendment.

\*MR. CAVE said he bowed to the ruling. He would content himself with what he had said as indicating that those who opposed this clause were not without their views and convictions as to what was the real remedy for the evils of drunkenness.

Amendment proposed—

"In page 5, line 28, to leave out subsection (1)."—(Mr. Cave.)

Question proposed, "That the words 'If at any time after the' stand part of the clause."

THE SOLICITOR-GENERAL (Sir S. EVANS, Glamorganshire, Mid.) said he did not address the Committee as a Welsh Member, but in his capacity as a minor member of the Government. The hon. Member said the excision of the clause would not destroy the Bill. That was so, but the Government thought its omission would be very injurious to the Principality and to the county of Monmouth. His hon. friend behind him who had a sort of hereditary right to speak on this matter would reply further on the general question. Taking the four questions put by the hon. Member, his first question was—What was the area in which the operation of this clause would take place? As the Committee had decided that the area was to be the rural area or urban area as defined in the Bill that would also be the area in which the operation of this clause would take place. He need hardly say that an Amendment to that effect had been put down. The second question was—Who was to pass the resolution? There was on the Paper a mere drafting Amendment in his name which when made would make it obvious that the people who were to pass the resolution were the parochial electors. The next question was—What was the proportion with regard to the local veto and then with regard to the other provisions relating to further reductions? The answer was that the Committee had already decided that where local veto was concerned the resolution had to be carried by two-thirds majority. When they were dealing with further reductions

Mr. Emmott.

the reduction was to be carried by a bare majority. The next question was—Were off-licences to be included? In the time-limit clause off-licences were included in Clause 3 by the Amendment moved by the First Commissioner of Works. That would be the provision also with regard to off-licences in this clause, but when they came to the question of local option in another part of the Bill off-licences were not to be included for the purpose of the time-limit. They were included for monopoly value under Clause 3.

MR. CAVE: The hon. and learned Gentleman did not say whether there was any appeal.

SIR S. EVANS: Under the further reduction?

MR. CAVE: Yes.

SIR S. EVANS: No there is to be no appeal.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) said the Solicitor General had answered the questions put to him by his hon. and learned friend the Member for Kingston, but he had not offered any defence of the clause. By this clause the Government were according different treatment to Wales from that given to England. This clause was not discussed on the Second Reading of the Bill, and therefore they had not heard what particular defence the Government had to make for treating Wales in this way. He rose to make this protest because he saw a bevy of Welsh Members in the House belonging to the Radical Party who would, no doubt, later in the debate give their reasons why they thought Wales should be treated differently from England. This clause applied only to Wales and the county of Monmouth; it contained a very serious proposal, and he thought the Committee ought to have had from the Government some particular defence of it. He did not think that the answers to questions which had just been given by the Solicitor-General, except possibly as far as off-licences were concerned, in any way lessened the objection. He and his friends had to the As he read the clause a have no right of appeal at

that form of relief is given. The amount of the relief in any particular case should be determined by the necessities of that case. Although in some instances the conditions might be such that the proposed relief would be needed, in others this would not be so, and in the latter cases the additional relief could not properly be given. I have informed the guardians accordingly.

#### **Consumptive Sanatoria.**

**MR. HIGHAM** (Yorkshire, W.R., Sowerby): I beg to ask the President of the Local Government Board if he will issue a circular to local authorities, especially boroughs, pointing out the wisdom of contributing to the upkeep of consumption sanatoria, either by annual contribution or by a sum *per capita*, according to the number of sufferers from tuberculosis the authority may send to the sanatorium for treatment.

**MR. JOHN BURNS:** I propose to issue an Order to provide for the notification to medical officers of health of pauper cases of pulmonary tuberculosis, and I also propose, when sending copies of the Order to the sanitary authorities, to draw their attention to the administrative action which can be taken in connection with such matters as that referred to in the Question. This will, I hope meet the object which my hon. friend has in view.

#### **The Motor Car Act, 1903.**

**MR. CATHCART WASON** (Orkney and Shetland): I beg to ask the Prime Minister if he is aware of the feeling of dissatisfaction that prevails in the country owing to the action of a section of the community habitually and determinedly disregarding the speed-limit imposed by the Motor Car Act, 1903, and especially the abuse and offensive terms applied to police and magistrates for trying to enforce the said limitation; and if, in view of the necessity of the matter and also the difficulties connected with legislation, he would appoint a Committee of the House, representing impartially the different views held on the subject, to suggest legislation that might be passed by consent,

**MR. JOHN BURNS:** The Prime Minister has asked me to reply to this Question. I am aware of the feeling on the subject to which it relates. I am afraid that my hon. friend is too sanguine in thinking that the various interests concerned would agree to legislative proposals in connection with this matter, and hence it does not seem to me that there would be likely to be advantage in the appointment of a Committee as suggested. My hon. friend is perhaps aware that I have recently issued a circular to local authorities drawing attention to the existing law and pressing upon them the importance of its enforcement. I am also in consultation with my right hon. friend the Home Secretary with regard to the feasibility of further action.

**MR. MARKHAM** (Nottinghamshire, Mansfield): Is the right hon. Gentleman not aware that the regulations issued by his Department are habitually and daily broken in every street in London?

**MR. JOHN BURNS:** If that be so, the responsibility rests with the local authority. The London County Council would be doing its duty by making representations to me on this matter, when the Home Secretary and I would do all we could to act most promptly and effectually in limiting speed or doing anything reasonable to protect life and property.

**MR. MARKHAM:** The County Council has nothing whatever to do with these Regulations; they are in the hands of the Home Secretary.

**MR. JOHN BURNS:** In that case I urge my hon. friend to address the Question to the Home Secretary.

**MR. MARKHAM:** Is the right hon. Gentleman aware that whenever a Question is addressed to the Home Secretary he refers me to the President of the Local Government Board?

**MR. JOHN BURNS:** On behalf of myself and my right hon. friend I shall be pleased to answer any Question of which notice has been given. We have

no desire to evade criticism or to burke discussion.

#### Precautions against Influenza.

SIR PHILIP MAGNUS (London University): To ask the Prime Minister whether, in view of the possible recurrence of the influenza epidemic during the approaching winter months, he will reconsider the question of the adjournment of the House for a half-hour, between the hours of seven and nine, in order that the windows may be opened for the admission of fresh air and the better ventilation of the Chamber.

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): Without expressing any opinion as to the advisability of the suggestion in connection with the possibility of a recurrence of the influenza epidemic, I would point out that, as explained on many previous occasions, the system of mechanical ventilation does not lend itself to the opening of windows. A much better result can be obtained by running the appliances at full speed during an adjournment; but even this requires to be very judiciously done in the winter season, otherwise it might be difficult to "catch-up" the lowered temperature which would necessarily result in severe weather. The matter of an adjournment or a recurrence to the old informal break in the sitting is one which the Prime Minister could only consider if he was convinced that it represented a great weight of opinion in all quarters of the House.

MR. PIRIE (Aberdeen, N.) asked the right hon. Gentleman whether he had read the pamphlet by the hon. Member for North Bucks, in which it was stated that though the ventilation might be the best in the world the result of it was the worst known, and whether he would take steps to pay attention to this matter.

MR. L. HARCOURT: I have perused the pamphlet, but I have not arrived at the same conclusion.

SIR PHILIP MAGNUS suggested the consideration of an alteration in the

present mechanical system of ventilation in order, if possible, to open the windows.

#### Hop Cultivation.

MR. COURTHOPE: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, how many acres of hops have been cultivated this year and in 1907 in Great Britain; and whether so great a decrease in acreage has been recorded in any previous year.

THE PARLIAMENTARY SECRETARY TO THE TREASURY (Mr. J. A. PEASE, Essex, Saffron Walden, for Sir EDWARD STRACHEY): The acreage under hops this year was 38,921 acres, as compared with 44,938 acres in 1907, a decrease of 6,019 acres. The decrease in 1887 as compared with 1886 was as much as 6,421 acres.

#### Unpicked Hops.

MR. COURTHOPE: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, how many acres of hops have this year been left unpicked owing to the disastrous state of the hop market.

MR. J. A. PEASE (for Sir EDWARD STRACHEY): It is estimated that some 3,500 acres of hops have from one cause or another been left unpicked this year.

#### Wallsend Small Holdings Society.

MR. GEORGE ROBERTS (Norwich): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been drawn to an application made by the Wallsend Small Holdings Society, Limited, to the Northumberland County Council for 212 acres of land; and whether he can state what steps are being taken to provide the land thus applied for.

MR. J. A. PEASE: The Board have been in communication with the



Northumberland County Council on this subject, and they are informed that the Council have instructed their land agent to ascertain whether any suitable land is available for satisfying the requirements of the society.

Small Holdings in Kent.

MR. GEORGE ROBERTS: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he can state if the Board or the Kent County Council has succeeded in providing a small holding for David Nicholls, against whom an eviction warrant was made by a bench of magistrates sitting at Tonbridge, on 20th July last, upon the application of Nicholls' landlord, the reason alleged being that Nicholls had applied for land under the Small Holdings Act.

MR. J. A. PEASE: It has not, I am sorry to say, been found possible as yet to provide a small holding for Mr. Nicholls, but the acquisition of a farm for the purpose of providing small holdings is under the consideration of the county council, and this would enable them to comply with his application.

MR. MORRELL (Oxfordshire, Henley) asked if there was anything to prevent the Board of Agriculture taking action in this case?

MR. J. A. PEASE said he did not think they should interfere until, at any rate, there had been an opportunity of acquiring the farm.

Small Holdings in England and Wales.

MR. R. HARCOURT (Montrose Burghs): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he will now state the acreage of land acquired under the Small Holdings Act by each county in England and Wales separately.

MR. J. A. PEASE: The following table gives the information for which my hon. friend asks—

County.	Area acquired.
<i>England—</i>	<i>Acres.</i>
Bedford - - -	375½
Berks - - -	1,396½
Buckingham - - -	300
Cambridge - - -	1,377½
Cheshire - - -	853
Cornwall - - -	186
Dorset - - -	747½
Durham - - -	173
Essex - - -	465½
Gloucester - - -	504½
Hampshire - - -	15½
Hertford - - -	404
Huntingdon - - -	514½
Isle of Ely - - -	596
Isle of Wight - - -	344½
Kent - - -	149½
Lincoln—Holland - - -	653
„ Kesteven - - -	344½
„ Lindsey - - -	274
Norfolk - - -	1,212½
Northampton - - -	408
Oxford - - -	233
Peterborough, Soke of - - -	115½
Rutland - - -	25
Salop - - -	154½
Somerset - - -	42
Suffolk, East - - -	202½
Westmoreland - - -	45
Wilts - - -	483
Worcester - - -	126½
York, East Riding - - -	288
Total -	13,009½
<i>Wales—</i>	
Anglesey - - -	103½
Carmarthen - - -	21½
Montgomery - - -	56½
Radnor - - -	280
Total -	461½
Total, England and Wales	13,471½

views as a whole, and had spoken in the same voice on this all-important subject. In 1891 a Local Veto Bill for Wales was passed under a Conservative Administration in a Conservative House of Commons by a majority, and the Second Reading of a similar measure was passed in 1893, giving to the people of Wales effective control over the liquor traffic. The next point he would mention was the recommendation of Lord Peel's Commission and the Chairman's recommendation on this subject. That Report was issued in 1898, and the recommendation of Lord Peel's Report was that in seven years Wales should be given a large measure of popular control. But further than that they had had for Wales special legislation in the sphere of licensing. The right hon. Gentleman who had just sat down objected to the fact that if this clause were passed Wales would have special treatment in regard to the reduction and the prohibition of licences. But they had already in Wales legislation in the sphere of licensing. They had the Welsh Sunday Closing Act. That was, he ventured to say, the foundation upon which they built their case for special treatment. One or two facts would show the general character and the strength of the forces behind the movement which operated in Welsh public life in support of this clause. Every county council in Wales had passed a resolution in favour of the principle of this clause, and also a great many borough councils, boards of guardians, and public bodies. He only mentioned this in order to show that the support of this principle permeated all through the public life of the country. It was not something that was manufactured at election times and by politicians, but it was something that went to the root of the life of the people. The last force he would like to refer to in support of this principle—and it was undoubtedly the greatest of all—was the long continued support given to the principle by the great Nonconformist denominations in the Principality. What had the Welsh temperance reformers done on this point? They first had asked for the right of controlling, by the voice of the people in each locality, the number of licences. That would in a large measure be granted to them through the operations of this clause. The claim which the people of Wales made for

larger powers in connection with the reduction of licences was not based upon anything in their minds as to the special evil and injurious effects of the drink traffic in Wales. The demand was based upon what had long been the conviction of the great majority, namely, that if they could reduce the facilities for drink there would be an effective step taken in the direction of sobriety. The right hon. Gentleman who had just sat down had referred to the difficulty of treating Wales differently from England in this matter. Might he remind the Committee of a notable declaration made on this point during the Second Reading of the Welsh Sunday Closing Bill in 1881 by the late Mr. Gladstone? Mr Gladstone said—

“Wales is after all a country with a people of its own, with a language of its own, with traditions of its own, and with religious feelings and associations of its own. This I will say, that where there is a distinctly formed Welsh opinion upon a given subject, and the acceptance of which does not entail any public danger or public inconvenience to the rest of the Empire, I know of no reason why a respectful regard should not be paid to that opinion.”

If it was right according to Mr. Gladstone in 1881 to pay a respectful regard to the feeling of the people of Wales on Sunday closing and to give Wales special treatment on the matter, there was no valid reason why he should not ask the House of Commons to have the same regard paid to it in regard to local option. Temperance reformers in Wales had always had their eyes fixed on the same goal and had tried to march forward on the same line. He would point out that in the Local Veto Bills of 1891 and 1893 there were two options—the option of reduction and the option of prohibition. They in Wales had long been convinced, whilst they recognised and believed that their goal in time should be for prohibition, that there must be large areas of the country where it was impossible, in existing circumstances, effectively to secure prohibition. So that from first to last they had asked for the two options, and those two options they asked to-day. He would point out to the Committee what would be the practical result of the carrying out of this clause. Supposing the people of Wales were to utilise its provisions to the fullest extent. The number of licences in Wales and

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Monmouthshire, according to the latest returns, was 7,100. Were these licences reduced to the statutory limit they would stand at 4,659; and if the further resolution was passed, subject, of course, to financial conditions, they would be further reduced by 3,104. There were one or two comments he would make upon those figures. The Solicitor-General had already referred to the question of area. Although he had his own view upon that point, he recognised that having regard to the Amendments which had been made in the Bill on an earlier clause, it was necessary to alter the area in the provision to meet the alterations already made. But the only practical difference between the working of this clause with regard to further reductions in Wales, and the second reductions in the working of the clause as generally applicable to the whole country, was that whereas in England the second reductions, the optional reductions, would take place according to the discretion of the justices, in Wales they would take place subject to the voice of the people in the locality. There was no distinction in principle; the only difference was that having regard to the strong feeling in Wales, it would enable the people to decide that question, whereas in England it was left to the justices. His last point was the long time that Wales had asked for the adoption of popular control of licences. He felt certain that all Members on that side, and many Members on the other side of the House, would be ready to consider the case of Wales as resting upon different conditions from the general case of the whole country. He reminded the Committee that this had long been a burning question in the Principality. It had been the hope of the people for generations, and they were speaking about things that they knew—about the conditions of life and the opinions of the people amongst whom they had to live all their lives. It would be useless for him to attempt to minimise the strength of the conviction prevailing in Wales on this point, and he appealed to the hon. Gentleman to give this clause a careful consideration. They asked for an experiment to be tried within the limits of Wales, which they believed would be of undoubted benefit to the Welsh people. They believed that if they obtained this larger power it would be an instrument in their hands for doing better

things, and endeavouring to work out their salvation in these matters in accordance with the deep-rooted convictions of their country. He had in conclusion only to thank the Committee for the very kind hearing they had given him. He spoke somewhat strongly on this point because he felt strongly, and he hoped the result of this debate would be that the clause would be passed by a decisive majority.

MR. A. J. BALFOUR (City of London) said he could assure the hon. Member who had just sat down that he would be the last person to complain of his speech. He wished, however, the Government would do something to meet the appeal of his right hon. friend near him, the Member for the St. Augustine's division of Kent, who surely put forward a reasonable request that they should have a general discussion on this clause before going into the details. If this clause had been discussed on the Second Reading, it might be reasonable to wait for the question that the clause stand part of the Bill, before they discussed it generally. But it was not discussed on the Second Reading, and he was not aware that a single syllable was said either in condemnation or in praise of it by speakers then present. It therefore really behoved the Government to make some general statement to the House and the country as to why Wales should receive particular treatment, and why, if it received particular treatment, it should be of the especial character designed by this clause. He did not know whether the members of the Government who were not subordinate members of the Government—he was alluding to a distinction drawn by the learned Solicitor-General—he did not know whether members of the Government who were not subordinate, were going to defer any discussion until they got to the question that the clause stand part of the Bill. That was a course which might have justification if they were not working under the particular rules of the closure, but there was absolutely no justification for it when they were working under those rules. He would not labour the point, because he understood from signs from the Treasury Bench that they agreed to the proposal that he had made, and that they would give them their views of this clause before they proceeded

to the details. In order that they might be able to give that defence under the best possible circumstances it might be convenient that he should ask them one or two questions with regard to this proposal. In the first place, did they agree with the hon. Gentleman who had just sat down that there was no difference of principle between this clause and the clause dealing with the optional reduction of licences in England? He listened to that statement with amazement, especially in the mouth of the hon. Gentleman. Was it the view of the Government generally that there was no difference in principle, in leaving it to the magistrates to initiate any decrease in the number of licences to be dealt with and the plan by which that initiative, indeed that decision, was left to the popular vote? Was that accepted by the Government? Was this merely the English principle with slight modifications and in a new disguise? He objected to the English method of doing it, and he certainly did not think that the Government had thought that in getting hold of this decision and taking it away from the magistrates, and giving it to the voters in the various parishes, they were doing nothing that touched principle but that they were merely occupied with details. That was the first question which he would ask, because he understood that the hon. Gentleman who had just spoken, spoke in some sense on behalf of his brother Members from Wales. The next question was whether the Government thought that Wales ought to have a diminution of licences by popular vote, because Wales was peculiarly qualified to deal with these questions by way of popular vote, and that England had not risen to those heights of self-government, which the Government thought might be managed without abuse by Wales, but which the poor Englishmen living on this side of the Welsh border ought not to have entrusted to them, without a long preliminary training, lasting for fourteen or twenty years. He would put the same question in a different form. Did the Government think that this plan was unsuited to England, or did they think that though it was suited for England, England was not fitted for it? Which of these two alternatives did they mean to adopt? They had deliberately taken a plan for Wales and deliberately rejected it for England. They had

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both plans before them and they had put them in their Bill and they differed. He wished to know how that difference in the Bill was justified. Was it that England was not fitted for it, or that it was not suitable for her condition?

MR. WILLIAM JONES (Carmarthen-shire, Arfon): England is not ready for it.

MR. A. J. BALFOUR said then we were apparently in an undeveloped and semi-civilised condition, which justified the Government in withholding full local management for many years, just as they withheld self-government from a Crown Colony which had not reached the stage of social development in which they thought free institutions could be granted. Unfortunately he was addressing at that moment an assemblage chiefly composed of Welshmen, and therefore the particular point of his argument would not appeal to them as he thought it would appeal if he addressed it to Englishmen. He understood from the declaration just made and from the framework of the Bill and from the interruptions he had received from hon. Gentlemen that they thought this treatment ought to be given to Wales and not to England. [A WELSH MEMBER: "Oh, we are prepared to give it you."]

MR. WILLIAM JONES: We are prepared to give you anything.

MR. A. J. BALFOUR said then perhaps the answer was that Wales had really asked for this and England did not want it.

MR. WILLIAM JONES: England does not ask Parliament for it.

MR. A. J. BALFOUR said that England would ask for it if she wanted it. He had put the question and had received contradictory answers from above and below the gangway, and when a member of the Government rose and spoke, he hoped he would solve his doubts upon this subject. The Government had deliberately adopted the popular method of dealing with licences in Wales, and they had deliberately adopted the magisterial method in England. Was it that the Welsh people were better than the English, or that the English people were better than the Welsh, or was it



because Wales wanted it and England did not. Those were the alternatives, and he should like the Government to give a reply as to each of them. At all events they ought to be informed on which of these strange alternatives the Government were going to stand or fall. There was another point. There was no limit to the number of licences which must be compulsorily reduced by a bare majority, except the amount of money available to pay what the Government were pleased to describe as compensation for the destruction of the licensee's interest in his holding. What he wanted to know was, whether the money from which this so-called compensation was to come was not drawn out of the common stock to which England and Wales contributed in the same proportion and on the same basis. He thought he was right in saying that that was so. If it was so, it meant not only that the Welsh people might be trusted while the English people might not be, but that the Welsh people might be trusted with English money which the English people themselves were not allowed to touch. Was that in any way a misrepresentation? Was not that exactly what it meant? How on earth were the Government going to justify that? According to the theory of hon. Gentleman opposite there ought to be, or might be, a great need for reduction of licences beyond the statutory scheme laid down in the schedule of the Bill. The only limit proposed was a financial limit, and the machinery by which the common fund was to be drawn from was in the case of Wales a popular machinery, while in the case of England it was a magisterial machinery. So far as he could gauge the matter the Government believed that they were much more likely to have reckless action taken by the popular than by the magisterial method. In other words, there would be more reductions by popular than by magisterial method. Then why should this procedure be carried out only in one country and at the expense of the other? Why was this financial preference to be given to the Principality? Why was it to be allowed to draw upon the general resources of the nation when carrying out its own views by a popular majority? He now came to the third question. The Government had said that it had always been their intention to see that local veto, speaking generally, should not

be applied by a bare majority, but by a two-thirds majority. They did not think, if they were in the minority, that it would be fair to allow a bare majority to deprive them of alcoholic liquor. When they were giving those extended powers why did they not go in for a two-thirds and not a bare majority system? There was nothing that he was aware of, supposing English money held out long enough, why a large number of districts in Wales should not have every single licence withdrawn. If there was enough English money to do the job, the Welsh parish councils in various parts of the Principality might be able to have total prohibition in their districts. If they were to enforce total prohibition—and it could only be fairly and justly given on a two-thirds majority—after fourteen years trading, why were they going to give it in another place—Wales—under a system of a bare majority? He hoped the Government would explain this portion of the Bill in its relation to the other portions. It was a right hon. friend of his who said that this Bill was managed by the Government in water-tight compartments—first by one Minister and then by another. His right hon. friend might have added that it was fought out in water-tight compartments, and that a particular scheme was advanced by one Minister for one section of the Bill, and that scheme had no fault except that it was totally inconsistent with another scheme advanced by another Minister. Let them have this Welsh part of the Bill defended in relation to the whole scheme of the Government in respect to the licensing question, and let the Government clearly show why they adopted one set of principles across the Welsh border and another for the English side of the border. The hon. Gentleman who had just sat down told the Committee that Wales had a particular claim to special treatment, because it had been consistent in its views on this subject through many elections. He did not quarrel with the hon. Gentleman for his opinion of his countrymen. The hon. Gentleman had a better opportunity than himself of forming an opinion, but when a Member was elected for a given constituency how could they say he would not have been elected

except for the fact that his constituency wanted this or that thing done for which the hon. Member intended to vote? The hon. Member would not deny that the great majority of the Welsh Members had been consistent in desiring disestablishment.

**SIR HERBERT ROBERTS:** It has been the dominant question with them for years.

**MR. A. J. BALFOUR:** But they could not have more than one dominant question at one time, and if the local veto question was the dominant question at the time of the election, where did disestablishment and the free trade question stand? They were painfully familiar with the fact that there was a Welsh majority on the free trade question. That was a fact which had had a very important consequence on the balance of Parties in this House and on national legislation and policy, but he did not think they could say when a particular question came up with regard to Wales, that that was a dominant question in Wales, and that the representatives of all other portions of the kingdom should be asked to give a particular majority of Welsh Members that which they said they ought to have. He had a great distrust of that kind of thing. Every Government had to consider—ought to consider, and was bound to consider—the opinions of the majority of the representatives of the people in this House, but that did not mean that they were to break up their legislation into small pieces, cut it up into fragments until the whole formed no more organic unit than a tessellated pavement of ill-cemented fragments. There was only one other question of importance on which he hoped the right hon. Gentleman would really give them information at length. The hon. Member who had just sat down had told them there had been special legislation for Wales in the past—Sunday closing, for instance. He used that as a reason for giving more special legislation; but could the Government give the Committee facts and figures to show that special legislation for Wales had had its natural and appropriate result in increased temperance? Naturally he had not the same opportunities which the Government possessed for

arriving at any conclusion on this point: but such figures as had been given to him apparently showed the lamentable fact that intemperance in Wales had increased and not diminished since the special temperance legislation was passed, and that at this moment intemperance in Wales compared very unfavourably with intemperance in this country. But the Government must have figures, and they must have surveyed the situation before introducing this anomaly into their Bill. They must have approached the subject from the point of view of the social reformer, who did not really consider platform cries, but the lessons of experience and the actual working of such legislative experiments as had been tried already. He hoped, therefore, that the House would not be put off on this branch of the question by the Government's attempting to show whether Wales was less or more temperate than it used to be through a comparison with the adjoining counties in England. He agreed that if people desired to have a change in the law it was a reason for considering their wishes; but there was another branch of the argument which no wise legislator could afford to put on one side. It was the effect that any particular reform would have on the social well-being of the country. He did not suppose that Wales had a greater dose of original sin than its neighbours on the English side of the border; but it had enjoyed special temperance legislation, and if it was found that the population which had this special legislation was less temperate than a population not hitherto so blessed, there was but one conclusion—namely, that special legislation as a remedy for intemperance ought to be received with extreme caution. He did not put it higher than that. He was not one of those who thought that the complicated problems touched upon in this drink question could be settled by a formula here and there; but was there any one in the House who did not feel, when he was studying this most difficult and complex of all problems, that one thing must give pause to the hasty and enthusiastic legislator, viz., that the hasty and enthusiastic legislation passed had not only not been followed by any of those happy consequences which its promoters always desired, but that, as far as

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could prove anything, they seemed to show that coincident with that special legislation there had been a perceptible increase of the very vice and evil which that special legislation was intended to cure.

**THE FIRST LORD OF THE ADMIRALTY** (Mr. McKENNA, Monmouthshire, N.) said that the right hon. Gentleman had very fairly asked the Government to give some general defence of this clause in its relation to Wales. If the right hon. Gentleman was right in his view that Wales, having had exceptional legislative treatment for some years, so far from becoming more sober had become less sober, then he would agree that the right hon. Gentleman had put forward a very formidable argument against any fresh experiment in Welsh legislation. But it so happened that the question the right hon. Gentleman had put as to whether Wales had become less temperate under this special legislation had been answered by two Royal Commissions which had considered this subject. Both Commissions were appointed by the Government of which the right hon. Gentleman was a leading Member. The first Commission, presided over by Lord Balfour of Burleigh, inquired into the operation of the Welsh Sunday Closing Act. After it had been seven years in force, the Commission found unanimously, on full investigation of the facts, that the measure had been a success, and recommended its continuance. That Commission was appointed by the right hon. Gentleman's own Government, whose supporters were opposed to Welsh Sunday Closing; and if that Commission had been able to report that the Act had worked unfavourably in Wales, that recommendation would have been gladly accepted by the right hon. Gentleman's Government. But the Commission who investigated the facts fully and fairly, came to the opposite conclusion, namely, that the Welsh Sunday Closing Act was found to have justified itself. Then another Royal Commission was appointed by the right hon. Gentleman's Government, but Welsh Sunday closing was only a minor question in the reference. It was Lord Peel's Commission, and this was the conclusion at which they arrived after

the Sunday Closing Act in Wales had been in operation for twenty years.

"We repeat that in Wales, as a whole, Sunday closing has been a success, and if, in some places, as in Cardiff, success has not been so fully maintained, a marked improvement is discernible, and we have no doubt that complete Sunday closing would be entirely in harmony with the feelings and sentiments of the Welsh people."

**MR. YOUNGER** (Ayr Burghs): Where do you find that?

**MR. McKENNA**: That was in the Minority Report signed by Lord Peel. He would now read the Majority Report. The Commission, of course, included direct representatives of the trade. The Majority reported—

"We see no reason to dissent from the general conclusions of the Royal Commission which inquired into this subject in 1890."

That was Lord Balfour of Burleigh's Commission—

"We are of opinion that in Wales, as a whole, Sunday closing has been a success, especially in rural Wales, and that if in places as in Cardiff, success has not been so fully maintained, improvement is discernible."

Both those Royal Commissions were appointed by Conservative Governments, and both, after full investigation of the facts, had come to a conclusion directly opposite to that which the right hon. Gentleman now asked them to accept. While he fully admitted that had the right hon. Gentleman's objection been well founded it would have been so formidable as not to be overcome, nevertheless all the authentic facts went to show that the special treatment of Wales had been a success, and so far as experience went the Government were justified in acting on that precedent.

**MR. A. J. BALFOUR** asked the right hon. Gentleman whether he had any figures later than those at the time of the Peel Commission.

**MR. McKENNA** said he should have thought that the Reports of the two Commissions were the best evidence. They had the Act of 1881, they had the report for nine years in 1890, and another report upwards of ten years later. There was no reason to suppose that such an accumulation of evidence

MR. A. J. BALFOUR: You are giving them entirely different powers.

MR. McKENNA said they were giving them different powers, following well-established precedents for dealing with licences in a different way in Wales from that in England. He was only dealing now with the financial part of the proposals, and he had shown that what the right hon. Gentleman accepted as proper as between two English counties, he did not accept as proper as between a group of Welsh and a group of English counties. But the real answer to the right hon. Gentleman was this. They had established through the whole country for all purposes one fund which had one great duty to perform equally over the whole country, in England and Wales alike, with no distinction in regard to the habits of magistrates. But one small portion of the fund was going to be dealt with differently. It would be a great mistake to break up the whole unity of their finance in order to separate Welsh and English finance. It was agreed that they could not break up the financial system as between different English counties, although the right hon. Gentleman's argument was absolutely appropriate to that. Therefore, while much could be made of the apparent injustice of English money being used to contribute to the compensation of Welsh licences, nevertheless it did not appear necessarily to follow that any English money would be paid at all, because the surplus might come entirely out of the Welsh contribution, and if any money collected in England went for the purpose of compensating Welsh licences it could be only such a small amount that it would be most undesirable to break up the whole financial scheme. There was no substantial reason for doing so, and the Government proposed to adhere to the clause as it stood on that point. Then the right hon. Gentleman complained that they were extending the reduction by a bare majority. His hon. and learned friend had stated that as regarded local veto a two-thirds majority would be required, and it was proposed to incorporate into this clause the same terms that they had incorporated in Clause 3. On the reduction resolutions

it would stand as in the Bill at a bare majority.

MR. A. J. BALFOUR: I am not sure that I quite understand what the proposal is. I thought that under the Bill Welsh constituencies were allowed to reduce licences to the point of extinction—that means, of course, local veto. I thought they were allowed to do that by a bare majority, and that that was going to stand.

MR. McKENNA said it did not stand. A resolution might be one of three kinds. Let them take a place with a given population which according to the schedule would allow the district to have three public-houses. The first resolution would be carried by a bare majority reducing the three to two, a second resolution might be carried by a bare majority reducing the three to one, or a third resolution might be carried by a two-thirds majority, taking away all three licences. That was the Bill as it would stand when the Government introduced their Amendment.

MR. WYNDHAM (Dover): Take, for example, a ward in a town like Cardiff, where there is a number of public-houses, of which I understand in addition to the statutory reduction a bare majority could extinguish all but one, and a two-thirds majority could extinguish the lot. That two-thirds majority would have a complete veto, but would a two-thirds majority be required to diminish the number below the standard reduction?

MR. McKENNA said it would not. Take the case of a district in which the number after the statutory reduction was 120. A resolution might be carried by a bare majority, allowing only 80 and another resolution allowing only 40 might be carried also by a bare majority. If it was required to reduce it below 40 a two-thirds majority would be necessary.

MR. WYNDHAM: That does not differ from what I said. It only requires a bare majority to go below the amount allowed by statutory reduction and you can go on till you get to the last house.



the country as a whole. Another question which the right hon. Gentleman had put to him concerned finance. He admitted frankly that if they proposed to treat England and Wales on a different financial footing there might, though not necessarily so, be some force in the objection taken by the right hon. Gentleman. The Commissioners were empowered to pay out of the surplus funds at their disposal all the compensation required to meet two sets of cases, that was to say, they were entitled to pay compensation out of their surplus funds in cases of optional reduction by the magistrates over and above the compulsory reduction. First of all Wales contributed to the whole fund, and if there was any surplus after paying compensation for the compulsory reduction, there would be a margin from the Welsh contribution, and therefore, the Commissioners would have at their disposal Welsh funds exclusively derived from Wales.

MR. YOUNGER pointed out that if all the licences were extinguished by local veto there would be no fund whatever from Wales.

MR. McKENNA said they might assume upon this clause that something which was not possible under the Bill would happen, but although verbally they might argue as if it were possible, yet it would not be possible to extinguish all licences. The Commissioners in such circumstances would not have funds with which to do it.

MR. YOUNGER: The Bill says so.

MR. McKENNA said the Bill certainly gave the Commissioners the option out of surplus funds to pay compensation for any reduction over and above the compulsory statutory reduction, but the Commissioners would only have a certain limited amount of money at their disposal, and they could only out of that limited money pay for the extra reduction to the extent it would permit; but if they had to finance the scheme they would never have enough money at their disposal to enable them to do what the hon. Gentleman suggested.

MR. YOUNGER asked whether, in case these resolutions were passed and licences were extinguished, they would be unable to pay compensation.

MR. McKENNA said if the hon. Member looked at the clause he would find that it stood thus:—

“Except that the carrying out of the scheme for further reduction shall be subject to the sanction of the Licensing Commission from the financial point of view.”

So that the Licensing Commission could only sanction these proposals for further reduction according to the amount of surplus money they had at their disposal.

MR. A. J. BALFOUR said he had a very simple case to put to the right hon. Gentleman. They knew that probably the English magistrates in almost every district would regard the statutory reduction as meeting the necessities of the case in their district. That, however, from the point of view of Welsh Members might not meet the whole necessities of the case. He was told they wanted prohibition, and the only thing to stop them reaching total prohibition was the want of money. If the money was not used for England there would be a great deal of money left for Wales, so that English licensees would really be paying for total prohibition in Wales.

MR. McKENNA said he must not be taken as necessarily agreeing that magistrates would not reduce licences in excess of the statutory amount, but assuming it was true, let them follow out the argument. Magistrates, they would assume, in the majority of cases, would not reduce beyond the statutory amount, but there would be certain justices who would. They would draw their money from the areas in which the magistrates would not reduce beyond the statutory amount, and would be reducing the expenditure in those areas. What he accepted as true of different parts of England this modern separatist refused to go over the Border and do for Wales. He said Lancashire and Yorkshire were one integral part of England, but the Welsh counties were to be treated on a different footing.

about him, though in attempting to discover what were the principles which had led him to the conclusion that he ultimately reached, he had not perhaps shown all his customary lucidity. In dealing with this clause there was not present in the House a single Member representing the very considerable minority in Wales. That there was a considerable minority he did not think even the most advanced member of the party of Welsh Liberalism would deny. He wished to apply a test to the right hon. Gentleman's observations. In the earlier part of his speech he expressed the opinion that special legislation in Wales had been a very great success, and he had quoted two Commissions with the object of establishing that conclusion. Had his attention been drawn to a Report by the Chief Constable of Monmouthshire in 1904, which was of much more recent date than that of the Commissions, in which that official said the Welsh Sunday Closing Act was a nuisance to the county, causing constant complaints of drunkenness along the border, and expressed the opinion that if the Sunday Closing Act were extended to Monmouthshire drunkenness and disorder would largely increase. That might show that opinion was not entirely one-sided in the matter. He would also like to ask whether some figures which had been supplied to him were correct and, if so, what was the explanation of them. He was told that in Glamorganshire the number of licences per 10,000 of population was twenty-four, but the charges for drunkenness per 10,000 of population were eighty-seven, while in Monmouthshire there were thirty-nine convictions and thirty-seven houses per 10,000 of population. If one compared Carnarvon with Somerset, the number of on-licences per 10,000 of population was 28 in Carnarvon and 40 in Somerset, but the convictions for drunkenness in Carnarvon were 55, and in Somerset 20. Carnarvonshire was a county with which the Chancellor of the Exchequer was very familiar. The argument was strengthened if one compared the counties in England and Wales having the highest and lowest number of convictions for drunkenness to population. In Northumberland there were 20 on-

licences per 10,000 population, and the convictions for drunkenness were 146. In Glamorganshire with 24 on-licences to 10,000 population, the convictions for drunkenness were 87. In Oxfordshire with 65 on-licences per 10,000 population, the convictions for drunkenness were 11. In Cardiganshire with 47 on-licences per 10,000 population the convictions for drunkenness were 25. These figures showed that the most sober county in Wales had more than twice as many drunkenness convictions as the most sober county of England although it had fewer public-houses. How these figures could be made to support the case which had been put forward on behalf of the Government he had very considerable difficulty in understanding. But the right hon. Gentleman passed on from that and said that England must wait for her local option and continued—"I should like to see local option to-morrow, but I am not satisfied that there is a majority in favour of it." If the right hon. Gentleman was not satisfied to-day that there was a majority in favour of local option in England, why on earth should he embody in an Act of Parliament the provision that in fourteen years, England, of whose opinions he would then probably know less, should be ordered to have local option? The right hon. Gentleman added that English opinion was not as advanced as Welsh opinion, and he gathered the view below the gangway to be that there was an overwhelming preponderance of opinion in Wales in favour of applying the facilities which this clause would give. Then why was it necessary to insist on a bare majority instead of the three-fourths or two-thirds which they had in England after the fourteen years? If they had so large a majority to play with, they might at least have given those whom they were going to dispossess the advantage of requiring that two-thirds majority which, with their great enthusiasm and superior numbers, they would have no difficulty at all in providing. The right hon. Gentleman had actually condescended to the argument, totally unworthy of anyone who sat on the front bench, that because private Members'

**MR. McKENNA:** No, the last 40 houses, one-third of 120. It had been argued that a system of local option amounted to a local tyranny. It must not be overlooked that in large tracts of Wales at the present moment what was described as tyranny when it was done by the vote of a majority was actually done by the action of individual landlords. In Wales there was no infeasible right for anybody to have a public-house within a convenient distance of where he lived. They could go over areas extending into many thousands of acres in the whole of which they would not find a single licensed house, simply because the landlord would not allow it. If nobody regarded that as tyranny why should it be tyranny because a majority of the inhabitants refused to have licensed premises dumped down in the area in which they lived? It was no question of tyranny at all. It might be wise or unwise, but to attack it on the ground of tyranny was to overlook the whole course of their history, and the actual facts under which they lived. They did, down to 1904, give certain magistrates a discretion to deprive any area they pleased of its licensed houses, and they proposed under this Bill to restore that power. That had never been described as tyranny. He found in one case in Carnarvonshire all the landlords combined together in seven adjoining parishes, covering an area roughly of 10,000 acres in which no licensed house was allowed. In another case of four adjoining parishes covering an area of about 8,000 acres no licensed premises were allowed by the landlord. There were in Anglesey nine adjoining parishes where no public-house was allowed. If it was not tyranny for the landlords—

**SEVERAL HON. MEMBERS:** It is tyranny.

**MR. McKENNA** said this was a new attack upon the rights of property. They were told there was only one tyrannous use of the sacred rights of property, when the landlord refused to allow beer to be sold. There were numerous other cases where the rights of property were exercised in the same tyrannous manner, covering in one case a group of parishes of 14,000 acres,

in another of 21,000 acres, and in another an individual parish, 30,000 acres. The population, in the first case was 2,670; in the second, 3,261; and in the third, 5,398. That had been tolerated and allowed all the while the last Government was in office, and never until that minute had any supporter of the right hon. Gentleman described the action of landlords in this respect as tyranny. If the procedure in the past had been intolerable they were doing nothing worse. If the landlord had a right to declare that no licensed premises should exist on his property, on which he might not even live, the people who lived on the property ought to have an equal right to determine whether there should or should not be licensed premises. The conditions in Maine did not apply in the present case. Portland, Maine, was a city in a prohibition area covering a whole State, and no doubt there was opposed to the system a large minority who broke the law. In the Government proposal no such conditions as these could possibly arise. The area was going to be a small one and wherever there was a majority of people who required to have facilities for getting intoxicating liquors they would vote against the adoption of the clause. They would have the law in their own hands. If the clause was to be opposed it should be opposed as what it was, a very limited measure of local option. The Bill of 1881 was in many respects similar to this clause. In that Bill there were three resolutions, one for local veto, one for a reduction of licences, and a third prohibiting the grant of new licences. The principle of the Bill was the same and in detail it was almost the same. With the experience they had had of the successful working of special legislation for Wales the Committee would be well advised in allowing this experiment of local option, which was in conformity with the wishes of the Welsh people, to be adopted, and to wait for the future before they came to a conclusion as to what its operation would be.

**MR. F. E. SMITH** (Liverpool, Walton) said that the right hon. Gentleman, like the hero of a well-known ballad, had argued high and argued low and argued round

about him, though in attempting to discover what were the principles which had led him to the conclusion that he ultimately reached, he had not perhaps shown all his customary lucidity. In dealing with this clause there was not present in the House a single Member representing the very considerable minority in Wales. That there was a considerable minority he did not think even the most advanced member of the party of Welsh Liberalism would deny. He wished to apply a test to the right hon. Gentleman's observations. In the earlier part of his speech he expressed the opinion that special legislation in Wales had been a very great success, and he had quoted two Commissions with the object of establishing that conclusion. Had his attention been drawn to a Report by the Chief Constable of Monmouthshire in 1904, which was of much more recent date than that of the Commissions, in which that official said the Welsh Sunday Closing Act was a nuisance to the county, causing constant complaints of drunkenness along the border, and expressed the opinion that if the Sunday Closing Act were extended to Monmouthshire drunkenness and disorder would largely increase. That might show that opinion was not entirely one-sided in the matter. He would also like to ask whether some figures which had been supplied to him were correct and, if so, what was the explanation of them. He was told that in Glamorganshire the number of licences per 10,000 of population was twenty-four, but the charges for drunkenness per 10,000 of population were eighty-seven, while in Monmouthshire there were thirty-nine convictions and thirty-seven houses per 10,000 of population. If one compared Carnarvon with Somerset, the number of on-licences per 10,000 of population was 28 in Carnarvon and 40 in Somerset, but the convictions for drunkenness in Carnarvon were 55, and in Somerset 20. Carnarvonshire was a county with which the Chancellor of the Exchequer was very familiar. The argument was strengthened if one compared the counties in England and Wales having the highest and lowest number of convictions for drunkenness to population. In Northumberland there were 20 on-

licences per 10,000 population, and the convictions for drunkenness were 145. In Glamorganshire with 24 on-licences to 10,000 population, the convictions for drunkenness were 87. In Oxfordshire with 65 on-licences per 10,000 population, the convictions for drunkenness were 11. In Cardiganshire with 47 on-licences per 10,000 population the convictions for drunkenness were 25. These figures showed that the most sober county in Wales had more than twice as many drunkenness convictions as the most sober county of England although it had fewer public-houses. How these figures could be made to support the case which had been put forward on behalf of the Government he had very considerable difficulty in understanding. But the right hon. Gentleman passed on from that and said that England must wait for her local option and continued—"I should like to see local option to-morrow, but I am not satisfied that there is a majority in favour of it." If the right hon. Gentleman was not satisfied to-day that there was a majority in favour of local option in England, why on earth should he embody in an Act of Parliament the provision that in fourteen years, England, of whose opinions he would then probably know less, should be ordered to have local option? The right hon. Gentleman added that English opinion was not as advanced as Welsh opinion, and he gathered the view below the gateway to be that there was an overwhelming preponderance of opinion in Wales in favour of applying the facilities which this clause would give. Then why was it necessary to insist on a bare majority instead of the three-fourths or two-thirds which they had in England after the fourteen years? If they had so large a majority to play with, they might at least have given those whom they were going to dispossess the advantage of requiring that two-thirds majority which, with their great enthusiasm and superior numbers, they would have no difficulty at all in providing. The right hon. Gentleman had actually condescended to the argument, totally unworthy of anyone who sat on the front bench, that because private Members



Bills had been passed year after year, therefore, it must be assumed that the subject was ripe for legislation according to the sense of those private Bills. It was only a short time ago since the Miners' Eight Hours Bill, which was passed repeatedly as a private Member's Bill, was condemned by a Committee appointed by the Government. The real truth, of course, was that no importance, or very little, was to be attached to a decision of the House on a private Member's Bill. Over and over again Woman Suffrage Bills had been passed and a great majority of hon. Gentlemen on the opposite side were pledged to the reform. He did not gather that the Government, in spite of the educational experience of the Chancellor of the Exchequer in a well known police court, were intending to introduce a Bill giving effect to the principle. The most astonishing argument of all that the right hon. Gentleman had put forward was that in which he attempted to deal with his right hon. friend's criticism on the financial aspect of his proposal. His right hon. friend had pointed out that they were giving Wales what he might describe as some special moral advantage, though why it should be given to Wales remained a little obscure; but after examining the arguments put forward, he gathered it was not because Wales was more drunken and had greater need of moral advantage—although that was the explanation which would readily occur to the superficial mind—but because the majority in Wales desired it, and no other argument had ever been put forward. This moral advantage also by a singular coincidence connoted no small degree of financial benefit to the Principality. If, therefore, they were going to support a claim to a special financial benefit for a part of the country which which was very often proudly described by those who belonged to it as "gallant little Wales" on the principle that the majority desired it, they were very likely to have Scottish and Irish majorities who might take a similar view. How did the right hon. Gentleman meet that? He said that if Lancashire did not want a reduction and Somerset did, the Lancashire fund might be tapped for the benefit of Somerset. The difference was this, that the Lancashire drunkard enjoyed the

same prospect of moral reform that the Somerset drunkard enjoyed. Here their grievance was that to the Welsh drunkard was given a special and a very costly opportunity of reforming his alcoholic tendencies, and that opportunity was to be paid for not by other Welsh drunkards or publicans, but by English who themselves received no benefit and who had not even the compensating advantage of seeing a moral improvement proceeding around them in their own neighbourhood. If that was really the best argument that could be put forward against the financial objection it was one, he thought, the proposal would require very considerable recommendation by quite different argument to any put forth up to the present moment. The right hon. Gentleman said further that there might be no recourse at all to the English fund, that it might be forthcoming out of the Welsh fund, so that the Welsh publican, instead of getting advantage, might have to pay to the English fund. But he did not think in saying that the right hon. Gentleman could have considered the terms of his own Bill or entirely appreciated the warmth of enthusiasm for temperance reform which he assured the Committee had affected the bosoms of the Welsh. What did the clause empower the Welsh people to do? It empowered Wales, first of all, to take advantage of the provisions of the Bill for statutory reduction. Nobody would say that that was on an inconsiderable scale, but that was not sufficient for the moral desires, or perhaps, he ought to say, the moral necessities of Wales, and therefore, the avenue of optional reduction was also thrown open to those aspirants to a higher standard of alcoholic morality. Statutory reduction plus optional reduction was given them. Still they were not satisfied, and they came forward and said that where a bare majority was desirous of accelerating the progress of reduction, although it became three times what the progress would be under statutory plus optional reduction, they should be entitled to do so. [AN HON. MEMBER: Hear, hear.] He gathered that the view of the hon. Member below the gangway was that the people of Wales were panting to take advantage of the facilities under the Bill. Was it not

feeling on this question in Wales than in England. All through, the magistrates in Wales helped the police, coming as they did into intimate touch with them on that score, and in almost every centre there was a vigilance committee to help the police and strengthen their administration, with the result that there were increased convictions. In his own native county of Anglesey there were thirty-two parishes which had no public-houses; and there would have been more had it not been for the Act of 1904. These public-houses had been closed at the instance of the moral sense and public feeling of the overwhelming majority of the inhabitants. In a parish of that county there was a public-house which was said to be kept going, as far as the sale of liquor was concerned, by one farmer. The sober-minded people determined to get rid of it and so remove the temptation in the interests of their children, and they appealed against the renewal of the licence. The owners of this tied-house resisted this appeal in two Courts, but in vain; and when they threatened to take the case to another, a brave woman—one of the strong leaders of temperance in the district—declared she would charter a special train to convey all the inhabitants, save that one farmer, to appear against the brewers. The town where he was bred in North Wales was the centre of county government; it contained the County Court; it was where the county council and its committees and all the educational committees held their meetings. It was a place where the farmers from all parts of Anglesey did their marketing. When he was a lad there were twenty-six public-houses in the town. Now, with a growing population, and when it had increased in importance, the number of public-houses had dwindled down to eight, owing to the moral feeling of the people. He never had been a fanatic, although he had been a total abstainer all his life. His point of view was that they ought never to legislate too far in advance of the moral and social sentiment of the community; and he was convinced from experience and knowledge that the moral sentiment of the people of Wales, with the exception of one or two centres, was in favour of local option. A plébiscite

had been taken of all the counties in North Wales by a committee largely composed of Tories and churchmen. The result of that plébiscite was that nearly 30 per cent. of the householders who voted were in favour of local option and a large percentage went for prohibition. Evidence in regard to this plébiscite was given before the Peel Commission; and in reply to a question by the hon. Member for Ayr Burghs, as to who were of the number who signed for prohibition, the witness answered that it was the drunkards in the place, and that they wanted prohibition as a protection against themselves. The hon. Gentleman, when he got that answer, said that the proportion who had voted for local option was extraordinary. The moral feeling in Wales was so strong that throughout the length and breadth of the land no candidate for Parliament dared stand up unless he was wholesome and square on this matter; no Labour Member even could have been returned for any part of Wales without giving a pledge, not merely that he was in favour of the disestablishment of the Welsh Church, but that he was also in favour of local option. They wanted to free their country, and make it advance more and more. They were doing it to the admiration of the civilised world in the matter of education. They had only begun in earnest on that question forty years ago. Let them be given a chance also to regulate the licensing question after their own desire. Let them have facilities to cripple and destroy social and moral temptations so that they might raise still higher the level of their citizens and help Wales to make greater advances in progress for the sake of the Empire and mankind.

EARL WINTERTON (Sussex, Horsham) said they had heard a great deal from the hon. Member who had just sat down about the moral feelings and the moral elevation of Wales, but few of them on that side of the House were disposed to enter into an argument with him as to how far the morality of Wales was in advance of that of England. Welshmen in the past had had the very unenviable reputation, and a very unjust one no doubt, of forcibly possessing themselves of other people's goods.

*Mr. William Jones.*

country. He would point out also that whether or not they had the right to do it, the consequence of doing it had been very little encouraging in those districts where some partial attempt had been made in that direction. The Solicitor-General could inform them if he were present how many drinking clubs had been started in his constituency during the period of Sunday closing. He agreed with the statement of the right hon. Member for Spen Valley, who had given great attention to this subject, that although local option might have produced improved results in country areas it had never produced satisfactory results in any crowded or urban districts. The experience of the civilised world was against this scheme. It was proposed to carry this scheme, tyrannous as he thought, futile as the right hon. Member for Spen Valley thought, and to apply this panacea to Wales at the expense of England, and he as an English Member objected to that course.

\*MR. WILLIAM JONES said the speech of the hon. Member did not show much knowledge of Welsh opinion or of the Welsh counties. He made comparisons between great industrial centres in Wales and comparatively agricultural centres in England. Somerset was brought into it, but it was a comparatively agricultural county, and a vast proportion of its population was constantly getting over the border into Glamorgan and Monmouthshire. He did not want to impugn the character of Somerset, but it was constantly alleged by police and other authorities in South Wales that many who crossed the borders were among the most intemperate persons in Wales. He could easily get reports from Glamorganshire and Monmouthshire which would bear out his contention to the fullest extent. A great industrial centre like Glamorganshire contained one of the most important and most cosmopolitan seaports in the world. Why, if one went through the streets of Cardiff on a Saturday night one did not know whom they were rubbing against. The places where public-houses had been planted were dark alleys and slums whose condition was as bad as could be found in

the lowest centres of English towns. [A MEMBER on the OPPOSITION Benches: They are all Liberals, are they not?] The great difficulty they had in Cardiff was the clearing of the slums. The right hon. Gentleman the Leader of the Opposition had himself appointed a Commission at the instance of the Cardiff brewers and others to investigate Welsh Sunday closing, and the result was that a most vigorous recommendation was passed for the continuance of Sunday closing by Lord Balfour of Burleigh's Commission, together with a strong plea for its extension to Monmouthshire. When Lord Peel's Commission investigated the same question the hon. Member for Ayr Burghs signed the majority Report in favour of including Monmouthshire. Not only did the minority advocate the extension of Sunday closing to Monmouthshire, but the majority did, including representatives of brewing firms—the hon. Gentleman himself being one of the number. In Glamorganshire the figures were 87·07 per cent. of convictions per 10,000 of the population. Let them compare Glamorganshire not with Somerset or Gloucestershire or any other agricultural county in England, but with Northumberland and Durham—great mining centres—and it would be found that the result was very different. In Durham the figures were 101·59; in Northumberland they were 146·22. He was not going to base his argument entirely on convictions. The hon. Gentleman made another interesting comparison between Cardiganshire and Oxfordshire. He knew both counties well. Oxford was a purely inland county; Cardigan had a seaboard, and for four or five months of the year there was an immense influx of visitors all along the coast. But that was not all. In all the Welsh counties invariably—and he challenged any contradiction—the moral feeling, sentiment, and opinion of the people were so strong that the police dared not relax their effort to convict for drunkenness.

MR. F. E. SMITH asked if the hon. Gentleman suggested that the police in Oxfordshire were drunken?

\*MR. WILLIAM JONES said that his point was that there was a stronger

in Wales, or why Wales should be made the dumping ground of an exotic experiment. He appealed to the Government to give them some statistics to show the result of the restrictions already in vogue there, and to justify their introduction of a clause which had no connection with the rest of the Bill and which only tended to make confusion worse confounded.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said he was not able to follow the debate very closely, and he did not think it was necessary that he should do so. The great point was: Were there any facts to prove that prohibiting drink had been beneficial to the people? That was the question. He represented one of the largest mining constituencies in Great Britain, and he remembered the time when he first went there, before the passing of Sunday closing. He remembered the condition of the public roads through drunkenness on Sunday afternoons, and very sorry he was to see them. It was a condition of things that one was almost ashamed to mention. He remembered the time when, on coming out of chapel after eight o'clock on a Sunday evening, he had seen men coming out of the public-house in a drunken condition. Then Sunday closing came, and in less than two years it removed completely all that condition of drunkenness. One fact like that was worth a ton of argument. What happened afterwards? Sunday clubs became popular, and things became worse in regard to drunkenness than they were originally. The hon. Member for one of the divisions of Liverpool had taunted them with the fact that the number of public-houses that were open on Sundays was somewhat against their moral aspirations. That was a most unfortunate statement to have made. What happened? The only gentleman who could be found to fight him at the general election was a great traveller for whisky, and the one claim that he put forward for a right to sit for a Welsh constituency was that he had opened more Sunday clubs than any one else in the country. That was not very creditable to the Party opposite, because three out of every four clubs in a mining constituency were purely drink-

*Earl Winterton.*

ing clubs, lions dens, homes of temptation for the people who, before they were opened, were content to take their Sunday's dinner with their families and spend the day quietly. They had no temptation to drink. They had been taunted with the fact that in Monmouth where there was no Sunday closing there were no convictions for drunkenness, while in Glamorganshire where Sunday closing was in force there were many. Why? Let them take a place near Cardiff, just over the border of Monmouth, called Rhymney. People could not get drink in Cardiff on a Sunday, but every drunkard crossed the border, got drunk in Rhymney, and then they were caught and convicted in Cardiff.

EARL WINTERTON said the hon. Member had misunderstood his quotation. What he intended to convey was that this system of restriction did not prevent the illicit sale of liquor.

MR. WILLIAM ABRAHAM said the fact was as he had stated, and it was sufficient for him. If hon. Members could go down and see the effect of drink on Sunday, through the opening of these clubs, they would say: "Close them all, close every hotel, pothouse, and club." All that the Welsh Members said was that if an opportunity was given to the people to drink they would drink; they wanted their little country clean, and they appealed to the House to help them to prevent the opening of these clubs and public-houses, and to prevent the opportunity for drinking. He had put the fact before the House, and on that one fact he justified the passing of this Bill into law.

LORD R. CECIL (Marylebone, E.) said that in the course of the debate he had been privileged to hear a good many speeches from the Ministerial side of the House from time to time. The observations that were made in the extremely eloquent speech of the hon. Member for the Arfon division of Carnarvon were not open to the same, but to similar objections as those in the speeches of hon. Members who had preceded him. The strength of the hon. Member's speech lay, not in the arguments he had adduced, but in the



Some of their most distinguished representatives at the present time seemed, however, rather disposed to live up to that reputation. The question they had to deal with was not the vague and ambiguous question dealt with by the hon. Gentleman in his speech. He would say nothing further about the question whether the moral feeling and sentiment of Wales were better or worse than the moral feeling and sentiment of England, except that he deprecated very strongly attempts to treat Wales as a separate part of the United Kingdom. The Leader of the Opposition and other hon. Members had shown by statistics of convictions for drunkenness that Wales was very much worse than England, and certain references had been made by the hon. Member who had just spoken to some views expressed by magistrates and others in Wales. He did not propose to weary the Committee by quoting statistics, but he would like to quote the view of the Stipendiary Magistrate for Cardiff, expressed in 1895. He said it was not his duty to propose a remedy, but to state what was proved by daily proceedings that on the day when the licensed houses were closed there was a demand by a large section of the community for intoxicating liquor, and that that demand was supplied in clubs. The Committee had to deal in this proposal virtually with prohibition. The First Lord of the Admiralty shook his head, but they were dealing with the chance of actual prohibition being put into force. That was what they had really got to face. He did not propose to continue the argument as to whether or not statistics of drunkenness in Wales could be compared with those of drunkenness in England, except to say that an argument such as that the police in Glamorgan were better or more pure than those in Oxford, was to be deprecated. It was impossible to answer such an argument. They were always met with this difficulty when they dealt with Welsh questions, because Welsh institutions and individuals were always claimed to be so superior to other institutions and people. Facts and statistics, however, were not always on the side of the Welsh people. It was exceedingly difficult to get accurate and comparable

statistics of drunkenness for different countries and districts, but he denied altogether that the state of affairs in Wales was better than that in any English county. He would take figures which were a real test of relative morality and temperance. In Wales, in 1898, there were no less than 679 prosecutions for illicit sale of drink; and in 1905, out of a total of 261 prosecutions for the illicit sale of drink in England and Wales, no less than 112 were in Wales, though the Principality was but a twentieth of the size of England. That really was a test, whatever might be the case with prosecutions for drunkenness. There was no doubt that, if they took the statistics of prosecutions for illicit sale, the restrictions on the trade in Wales were not a success. He also found that in 1905 there were ninety-one prosecutions in Glamorgan with Sunday closing, and none in Monmouthshire without Sunday closing. He would ask the Solicitor-General whether he did not think that that was an argument against Sunday closing. The Solicitor-General had referred to two Royal Commissions, one of which reported in 1889, and the other in 1899; but the statistics of prosecutions for the illicit sale of drink which he had quoted were of later date, so that the opinions of those Royal Commissions could not be accepted as final. They were entitled to ask the Government, as they had constantly done, what had been the effect of the restrictions which had already been put upon the licensed trade in Wales. They had never answered that question. Could they really honestly say that the results had been so satisfactory as to warrant them in placing further restrictions upon the trade? They had pressed for an answer to that question and also to the equally important question as to what countries these were where such a system of prohibition as was proposed in this section had been successful. No answer had yet been given. He strongly deprecated these appeals to Welsh national feeling and sentiment. This was an Imperial House of Parliament, and had to deal with questions from a general point of view. They were not dealing with a foreign country, but with a part of the United Kingdom; and they had no evidence to show why this system should be put in practice

in Wales, or why Wales should be made the dumping ground of an exotic experiment. He appealed to the Government to give them some statistics to show the result of the restrictions already in vogue there, and to justify their introduction of a clause which had no connection with the rest of the Bill and which only tended to make confusion worse confounded.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said he was not able to follow the debate very closely, and he did not think it was necessary that he should do so. The great point was: Were there any facts to prove that prohibiting drink had been beneficial to the people? That was the question. He represented one of the largest mining constituencies in Great Britain, and he remembered the time when he first went there, before the passing of Sunday closing. He remembered the condition of the public roads through drunkenness on Sunday afternoons, and very sorry he was to see them. It was a condition of things that one was almost ashamed to mention. He remembered the time when, on coming out of chapel after eight o'clock on a Sunday evening, he had seen men coming out of the public-house in a drunken condition. Then Sunday closing came, and in less than two years it removed completely all that condition of drunkenness. One fact like that was worth a ton of argument. What happened afterwards? Sunday clubs became popular, and things became worse in regard to drunkenness than they were originally. The hon. Member for one of the divisions of Liverpool had taunted them with the fact that the number of public-houses that were open on Sundays was somewhat against their moral aspirations. That was a most unfortunate statement to have made. What happened? The only gentleman who could be found to fight him at the general election was a great traveller for whisky, and the one claim that he put forward for a right to sit for a Welsh constituency was that he had opened more Sunday clubs than anyone else in the country. That was not very creditable to the Party opposite, because three out of every four clubs in a mining constituency were purely drink-

*Earl Winterton.*

ing clubs, lions dens, homes of temptation for the people who, before they were opened, were content to take their Sunday's dinner with their families and spend the day quietly. They had no temptation to drink. They had been taunted with the fact that in Monmouth where there was no Sunday closing there were no convictions for drunkenness, while in Glamorganshire where Sunday closing was in force there were many. Why? Let them take a place near Cardiff, just over the border of Monmouth, called Rhymney. People could not get drink in Cardiff on a Sunday, but every drunkard crossed the border, got drunk in Rhymney, and then they were caught and convicted in Cardiff.

EARL WINTERTON said the hon. Member had misunderstood his quotation. What he intended to convey was that this system of restriction did not prevent the illicit sale of liquor.

MR. WILLIAM ABRAHAM said the fact was as he had stated, and it was sufficient for him. If hon. Members could go down and see the effect of drink on Sunday, through the opening of these clubs, they would say: "Close them all, close every hotel, pothouse, and club." All that the Welsh Members said was that if an opportunity was given to the people to drink they would drink; they wanted their little country clean, and they appealed to the House to help them to prevent the opening of these clubs and public-houses, and to prevent the opportunity for drinking. He had put the fact before the House, and on that or fact he justified the passing of this Bill into law.

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very powerful appeal he made to the moral sympathy and the imagination of the House. He had been so affected by the appeal that he was driven to ask what really were the moral interests involved? Hon. Members constantly spoke as if intemperance in drink was the only moral evil in the world. [Cries of "No."] If that appeared to be an exaggerated estimate he would amend it and say that hon. Members believed that it was the chief and most important moral evil in the world. But that was exactly where he differed from them. That was where, much as he admired it, he was not able to follow the eloquent appeal of the hon. Member for the Arfon division. He did not regard intemperance as the principal, or the most serious, evil that affected the people at the present time. There appeared to him to be serious moral and intellectual evils which affected them more from a moral and civic point of view. He regarded intolerance and uncharitableness as a moral evil of as great importance as intemperance. He did not think a more effective answer could have been given to the speech of the hon. Member for the Arfon Division than that of the hon. Gentleman to whom the Committee had just listened. The hon. Member for the Rhondda Valley said there was a great amount of intemperance in Wales; that after Sunday-closing came into operation secret drinking clubs sprang up everywhere. What was the result? They had certainly increased deceit and probably other moral evils.

MR. WILLIAM ABRAHAM said he must not be taken as admitting the arguments of the noble Lord. He did not say secret drinking clubs. Moreover, many of these clubs had been opened for political purposes.

LORD R. CECIL thought that so far as political clubs were concerned no doubt the hon. Member and his friends in Wales regarded these drinking-clubs as Tory clubs, but if he moved in Tory circles in London he would find that all these drinking-clubs were Radical clubs.

MR. WILLIAM ABRAHAM remarked that he was not concerned with the political aspect, but the truth.

LORD R. CECIL replied that they were all in this House concerned with the truth. If they had legislation of this kind, not only was it very doubtful that they would reduce intemperance, but it was perfectly certain that they would run very serious risk of bringing other moral evils to the community. It seemed to him one of those strange perversions of mind which sometimes affected bodies of men in all parts of the world, that those who, he was convinced, thought they were working for morality, should be running the risk of doing infinite moral harm by legislation which they believed was going to improve the morality of their fellow countrymen. He could not help comparing the morality on these topics, of which they had had such brilliant expositions that afternoon, with true Christian morality as he understood it. He did not find that this one sin was put in a position of predominance in any authorised form of Christian morality. He found hypocrisy, untruthfulness, intolerance, and uncharity held up, but he did not find it said that excessive indulgence in alcoholic liquor was the main or chief moral evil of the world. For his own part he believed that the moral effects of legislation were so very doubtful and so uncertain that it was madness in that House to trust to that argument in passing or refusing to pass any particular measure of legislation. They could do something to see what would be its effects, not on the morality of the people, but on their civic qualities. For his part he believed that this excessive restriction was a very doubtful benefit from the point of view of temperance, and was certain to be injurious to the interests of liberty and independence, which he regarded as of supreme importance from the civic point of view. He would heartily vote for the Amendment before the House.

MR. ELLIS DAVIES (Carnarvonshire, Eifion) said in the general discussion that afternoon some members had spoken of the tyranny of prohibiting the sale of liquor, but as a matter of fact that was already done by two authorities in the country. In the first place, landowners had the power and exercised it. A landlord could prohibit the sale of liquor on

his property. Lord P—— extinguished all licences except two in a populous district ten miles long, with very beneficial effect. The other authority who had power to restrict the sale of liquor were the licensing magistrates, and the real question at issue so far as this portion of the Bill was concerned was whether the restrictive power was to be held by justices or the public. In the county of Merioneth the statutory number of licences would be more by ten than the existing number of licences, and if any temperance reform was to be carried out it must be by reducing the number of licences in Merionethshire below the statutory number. In the same way, in his own county of Carnarvon the number of licences was 366, while the statutory number would only be 311. He was quite sure that the House would agree with him that the reduction of more than 55 licences must take place during the next fifteen years. No one had any doubt as to the necessity for reduction, because it must be perfectly well known to any one who took an interest in licensing questions that there were thousands of houses carried on, not because they were necessary, but for the purpose of getting compensation, and they were carelessly and badly conducted. They found continually in licensing cases that houses were being carried on at a loss. He knew of one case in which, when the sheriff went into possession, everything in the house was sold lock, stock, and empty barrel for the magnificent sum of £5, and yet Quarter Sessions, when the house was taken, gave £400 compensation. The whole question at issue was whether the power to restrict the number of licences should be given to the magistrates or to the public. No attempt had been

power of the justices. Justice had referred to monetary terms, but well known that was passed because had no confidence in justices. The right Member for South in that House on

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He denies the justices use of their powers, but

we object to their doing so in what we regard as an arbitrary way as with certain benches of justices."

The culprits no doubt included the Farnham justices, and one wondered if the attitude of the hon. and learned Gentleman the Member for Kingston was a form of deferred repentance for the stand he took as chairman of the Surrey Sessions in confirming and praising the decision of the Farnham justices. Even the Licensing Commission, with its array of brewers, did not defend the justices, and the majority suggested the introduction of an elective element to the extent of one-third, and the minority to the extent of one half. Might he also point out that the Local Government Act of 1888 vested the power of licensing in a public body, namely, the county council. It had been asked why this clause was extended to Wales. The answer was obvious—because Wales demanded it. The right hon. Gentleman the Leader of the Opposition had pressed the point as to whether they were morally superior or morally inferior, but the real question was whether the measure would improve the moral and social condition of the people. He submitted that the most competent to deal with this subject were the people themselves. It was not that Committee, but the electors whom they represented in that House who were in the best position to decide for themselves what was for their moral good. If hon. Members were afraid to apply this clause to England then let them apply it to Wales alone. The Welsh people were quite prepared to run the risk. If they failed their's would be the consequences and with England would rest the advantages. On the other hand, if they were successful, and if this clause proved to be for the social well-being of the community, then it might be that in the near future it would be applied to England.

SIR GILBERT PARKER (Gravesend) said he should dislike to think that any one of his fellow Members thought him unsympathetic towards temperance reform. He felt, and had always felt, that the reduction of public-houses judiciously accomplished with fair compensation could only be productive of good. He had never held any other



opinion. He supported the Bill of 1904 upon that basis. He would support this Bill if he did not find in its financial clauses, dealing with compensation and the time-limit, what he believed to be an element of injustice. If he believed that the local option clause in this Bill would really accomplish what it was thought it would achieve, he would support it. His hon. friend opposite who had made so eloquent a speech had caught them all up on a moral wave for an instant, and they felt that they would be doing a cruel and unfair thing if they did not help gallant little Wales to make the most of herself. In sympathy, in fairness, and in justice, they were to pay tribute to the avowed policy of the people of Wales; that was what the hon. Gentleman said. If he believed that what the hon. Gentleman asked for would achieve the desired end he would support him. He would give his reasons why he did not think that in Wales, or in any other portion of the United Kingdom, it would accomplish the hon. Gentleman's object. We had tried in this country, as had been tried in all countries, sumptuary laws. In the middle ages there were sumptuary laws against heresy. What did they produce? Persecution and conspiracy. Local option in Wales would produce there what had been produced wherever it had been tried—persecution and conspiracy. Conspiracy consisted in people banding themselves together to break the law. He had seen the most awful scenes caused by drunkenness. He had seen them in London, on the River Nile, and in Rhodesia. He had seen the Kaffir drunk on Kaffir beer, and he had seen in the streets of New York, as in the streets of London, scenes which the human mind could hardly conceive. All that was drunkenness under legal conditions. It was "understood of the people," and at any rate it was the exercise of a human free-will. Perhaps he ought to say it was an abuse of human free-will, but at any rate it was an exercise of free-will. He had seen nothing to compare with the degrading experience he had witnessed in the evasion of the law in States and Provinces committed to prohibition, because there was not only the degradation of drunkenness but the deepest kind of degradation,

namely, the moral degradation of a man furtively evading the law of his country whilst doing what he had a right to do, namely, to satisfy his physical desire for stimulants. Was there any hon. Member who would say that it was a crime to take stimulating drink? The exercise of free-will with regard to a stimulant could not be a crime. A state of things under which a man who was prevented by the will of his neighbour from exercising his own free-will to take stimulants either in moderation or in immoderation, and had to resort to the kind of evasion furtive, sinister, and vile, to which men had to resort in prohibition countries, could only produce and did produce upon the community at large a deleterious evil and had a depreciatory effect. Every one knew that in Canada, the United States and New York, the convictions for drunkenness had increased under the no-licence law. In Norway the increase of bottled sales had increased with the decrease of sales over the bar. Did anyone suggest that in those countries there had not been a degrading element produced in the body politic and in the civic life by the exercise of the will of the majority over the will of the minority? Hon. Members opposite conceived themselves to be the friends of liberty, the friends of free-will, and the friends of human rights. If there were ten men in Wales who desired drink and wished to exercise their will to drink stimulants, and 10,000 were to say to them: "No, you shall not have the opportunity to do it," he contended that the 10,000 had no right to prevent those ten citizens from the exercise of their free-will. [AN HON. MEMBER: One man does it sometimes.] Well, even the rights of one man ought to be protected. If there was one country in the world where respect was paid to the rights of individuals it was this country, and the hon. Member's interjection enabled him to say that if there was one man who in any town or village of Wales desired to exercise his free-will concerning a thing that was not a crime he should be permitted to do so. If the Chancellor of the Exchequer and his friends were only consistent in this he would be able to find some excuse, but they were not consistent, not even in Wales. That

was almost unbelievable when they reviewed the political career of the Chancellor of the Exchequer. If they were going to apply local option, if they were going to apply the principles of temperance, why not apply them to off-licences as well as on-licences? The Chancellor of the Exchequer thought his suggestion was unreasonable, but he invited him to be consistent. If it was a good thing to destroy human free-will for the benefit of the mass, let them do it in a large way, and not in the twopenny-halfpenny pettifogging furtive way that was being adopted here. He would be perfectly willing never to touch a drop of drink again in his life if his fellow-citizens would agree to do the same. He would do it if the Government would agree to do the same. They wanted to be able to exercise their free-will and they were determined to exercise it as long as they could. An Act which imposed upon a minority local option such as was suggested for Wales was tyrannical. Did hon. Members even suggest that local option and prohibition votes represented the will of the people? He could not speak for Wales, but he could speak for other places, and he could safely say that they never did represent the will of the people. To take Canada, for instance, where they had tried local option and where it had been a failure.—[Cries of "No. no."] Yes, they passed a prohibitory law in Manitoba and then said: "No, we will not apply this law until we have tried it again upon the electorate." Then the electorate decided against it.

AN HON. MEMBER: Does the hon. Member state that Manitoba has not passed a local option law and that it is not on the Statute Book both for Manitoba and Ontario?

SIR GILBERT PARKER said local option law was on the Statute-book of both Ontario and Manitoba, but this clause applied to the whole of Wales, and they had been assured that the whole of Wales had combined to accept the principle of local option and to apply it. In Canada and the United States local option had always proved itself to be an invitation to the surrounding districts

*Sir Gilbert Parker.*

to abuse the law. The test at the polls was not a true test, because people found it difficult in some districts to give a vote against local option. He was speaking of the human tendency, because people would say if they voted against local option they would be showing a lack of sympathy with temperance and the upward movement of the people. How many people were affected? Most people went to the poll not to express a strong opinion upon the question at issue, but because their neighbours expected them to do so, and because if they did not vote they would be accused of having shown a lack of sympathy with the moral welfare of the people. Therefore the poll was not a true test, and this was shown by the experience of every district which had adopted local option or prohibition. The result had been in those districts that the law was continuously evaded. The hon. Member for the Romford division had described the rise of drinking clubs. Wales was full of drinking clubs. They knew from the convictions recorded that Wales was full of drunkenness. He did not say that Wales was a drunken country, but he was taking the records, which showed that Wales was full of drunkenness. Wherever they had had Sunday closing and had attempted to interfere with the will of the minority abuses had grown up. They would not contribute to national morality by interfering with the natural rights of man, nor would they make Wales sober by giving to a majority the right to interfere with the free exercise of the will of the minority.

\*MR. MACLEAN (Bath) said he had made a personal study of the operation of the Sunday Closing Act in Cardiff and he was in a position to state that the administration of that restrictive law on personal tastes—perhaps the most difficult form of law to administer—had proved really successful, and, arguing from this experience, he expressed the opinion that Parliament might safely conduct this experiment of local option in Wales. Cardiff, with its large floating population, was a very difficult place to enforce legislation of this kind, but it could be made successful. Let them take, for example, the figures for drunkenness since the year 1895. During that year

here were 576 convictions for drunkenness, whereas last year the number sank to 104. That was not explained by any laxity on the part of the police, because they had an extremely vigilant Chief Constable at Cardiff and a very effective police force, and those figures were striking. He believed there was in Cardiff a steady upward trend of public opinion in favour of trying the experiment of local option in Wales. Reference had been made to the state of things in 1895. He admitted that in that year there was a condition of lawlessness which called for serious consideration. Like many other laws the success of the laws dealing with the sale of drink depended largely upon the manner in which they were administered. In the year 1895 there was a large amount of drinking in shebeens and also in clubs, and in that year there were convictions for the illegal sale of drink amounting to 161. What was the position last year? The total convictions for illegal sale of drink were only seventeen. Then as to Sunday drunkenness. In the year 1895 there were eighty-seven convictions for drunkenness on Sundays, and last year there were only three. During the past four or five years it was accurate to say that the number of convictions for Sunday drunkenness in Cardiff would not exceed fifteen or eighteen. And who broke the law? They were persons who had been convicted previously of assaulting the police, brothel keepers, disorderly women, thieves, stray seamen, and others who could not be classified under any particular head, but who were declared by the police to be associates of thieves and disorderly women. Therefore those who broke the law were principally those of the ordinary criminal class of the community. Every one of the convictions for illicit trading took place in the criminal quarter of the town. He challenged anybody to go down to Cardiff on a Sunday and go to the roughest streets of the city, in the parts where the docks were situated, and prove that Cardiff would not bear comparison with any other like city in regard to public order, the quietness of the streets, and the demeanour of the inhabitants. Not long ago on a Sunday night he went into some of the lowest lodging-

houses containing men of all nationalities, and he saw no sign of drinking, and there was not a single man there under the influence of drink. The result of the steady administration of this very difficult Act affecting the personal habits of men in an exceptionally difficult place had really proved successful.

\*MR. YOUNGER, though adhering to everything he said as to Sunday-closing as one of the majority Commissioners on the Licensing Commission, insisted that the success or failure of Sunday-closing in Wales had no relevance to the question of prohibition which they were discussing. On the question of finance with which the Leader of the Opposition dealt they had not had any satisfactory explanation. The First Lord of the Admiralty was an extremely able man, and he was extremely able and slim in avoiding the uncomfortable points of any argument. The main point he dealt with was the similarity of treatment which Wales was to have in consonance with the treatment meted out to English counties. He told them that while the English counties were having similar treatment, the Opposition refused to grant similar treatment to Wales. In Wales, where prohibition might be carried into effect, the pull would be greater on the public funds. There was no analogy in the cases of English counties; nor was there any need for any theatrical display such as they had had to meet an argument calling the attention of the Committee to the point whether it was right to deny to Wales what they were granting to this country. Previous to 1904 the magistrates of England had not the absolute right to withdraw all licences in any district. That right was very carefully safeguarded, and the right hon. Gentleman opposite ought to have known that the Judges stated most distinctly that their decision gave no such right, but only the right to deal with each individual case on facts brought before them. So far as experience had gone in other countries they need not go far to find out what the result of prohibition had been. He had any number of cases which he could quote showing the effect in Canada. They knew the result of restrictions in the larger towns in Scotland, where they now had early

closing, and they knew what a serious effect that had had on the drinking habits of the people, and how they had taken to drinking spirits instead of beer, which they had been accustomed to drink in the past. A serious state of affairs had arisen as the result of these restrictions. If prohibition were resorted to the evils would be infinitely worse than at present. He did not rise to discuss the general question at all, but he wished to say that so far as Sunday-closing was concerned it did not bear in the least upon this clause.

MR. WYNDHAM (Dover) said the Committee would have liked to have heard the Chancellor of the Exchequer on the question now before them. Those who had been attending these debates must have been struck with their lifeless character. It might be due in part to the fact that they were discussing the Bill under the closure Resolution, and in part to the fact that a great many of those who were supporting the proposals of the Government did not really believe that the Bill was going to find a place on the Statute-book; but that air of unreality and lack of vitality had been greater in regard to the proposal before them that day than upon any of the other proposals of the Government. It would seem to some of them that this child of theirs was not long for this world. If anybody could have galvanised the question into life it would have been the Chancellor of the Exchequer; he would have argued on the merits and made a more convincing plea than any of his compatriots in favour of the proposal that the Committee should defer without inquiry or examination to what they were told was the opinion of Wales. The hon. Member for Bath thought it incumbent on him to offer a word of explanation for daring to intervene at all in the debate; he said that, although he was not a Welshman he spent part of his time in Cardiff. He himself, and the Party to which he belonged, utterly denied that they had to qualify by residence in Wales in order to discuss so large a question as the introduction of prohibition within the limits of the United Kingdom. On the contrary, one of the great advantages

derived from sitting together in this House was that when those who represented some portion of the United Kingdom took a novel or violent course, those from other parts brought impartial minds to bear on the subject and declared what they really believed was the right course to pursue. In the case of Wales, as in the case of Ireland, there was a large minority which had no effective representation at all, and therefore, the members of the House, as a whole, were bound to examine questions upon which Welsh and Irish opinion went further than, or even directly contrary to, British opinion. What were the opinions of hon. Members on the question of prohibition? Two days ago in the only animated debate which they had had one Member after another got up on the Government side of the House and objected to prohibition on its merits; they objected to it because it stood in the way of a more moderate and hopeful temperance reform. It was their duty to express that view in the lobby.

MR. GIBBS (Bristol, W.) said the hon. Member for the Arfon Division of Carnarvonshire had stated that a large majority of those who were convicted of drunkenness in some part of Wales were people who stepped over there from Somerset. If they stepped over into Wales, they would have to step over several miles of the Bristol Channel. He thought the hon. Member was making a mistake. He should like to know whether the hon. Member for Bath had found that those who were convicted of drunkenness in Cardiff were people from his own constituency. In regard to the question generally he thought the proposal of the Government was of the most tyrannical description. It appeared to him that they were interfering with the liberty of the people, and especially of the poorer people, who could not help themselves in this matter. This clause would not interfere in any way with people who had cellars of their own. It would interfere with those who had to earn their daily bread, and it would drive them to join drinking clubs, of which so much had been heard. The proposal was by a bare majority to allow total

*Mr. Younger.*



there were 576 convictions for drunkenness, whereas last year the number sank to 104. That was not explained by any laxity on the part of the police, because they had an extremely vigilant Chief Constable at Cardiff and a very effective police force, and those figures were striking. He believed there was in Cardiff a steady upward trend of public opinion in favour of trying the experiment of local option in Wales. Reference had been made to the state of things in 1895. He admitted that in that year there was a condition of lawlessness which called for serious consideration. Like many other laws the success of the laws dealing with the sale of drink depended largely upon the manner in which they were administered. In the year 1895 there was a large amount of drinking in shebeens and also in clubs, and in that year there were convictions for the illegal sale of drink amounting to 161. What was the position last year? The total convictions for illegal sale of drink were only seventeen. Then as to Sunday drunkenness. In the year 1895 there were eighty-seven convictions for drunkenness on Sundays, and last year there were only three. During the past four or five years it was accurate to say that the number of convictions for Sunday drunkenness in Cardiff would not exceed fifteen or eighteen. And who broke the law? They were persons who had been convicted previously of assaulting the police, brothel keepers, disorderly women, thieves, stray seamen, and others who could not be classified under any particular head, but who were declared by the police to be associates of thieves and disorderly women. Therefore those who broke the law were principally those of the ordinary criminal class of the community. Every one of the convictions for illicit trading took place in the criminal quarter of the town. He challenged anybody to go down to Cardiff on a Sunday and go to the roughest streets of the city, in the parts where the docks were situated, and prove that Cardiff would not bear comparison with any other like city in regard to public order, the quietness of the streets, and the demeanour of the inhabitants. Not long ago on a Sunday night he went into some of the lowest lodging-

houses containing men of all nationalities, and he saw no sign of drinking, and there was not a single man there under the influence of drink. The result of the steady administration of this very difficult Act affecting the personal habits of men in an exceptionally difficult place had really proved successful.

\*MR. YOUNGER, though adhering to everything he said as to Sunday-closing as one of the majority Commissioners on the Licensing Commission, insisted that the success or failure of Sunday-closing in Wales had no relevance to the question of prohibition which they were discussing. On the question of finance with which the Leader of the Opposition dealt they had not had any satisfactory explanation. The First Lord of the Admiralty was an extremely able man, and he was extremely able and slim in avoiding the uncomfortable points of any argument. The main point he dealt with was the similarity of treatment which Wales was to have in consonance with the treatment meted out to English counties. He told them that while the English counties were having similar treatment, the Opposition refused to grant similar treatment to Wales. In Wales, where prohibition might be carried into effect, the pull would be greater on the public funds. There was no analogy in the cases of English counties; nor was there any need for any theatrical display such as they had had to meet an argument calling the attention of the Committee to the point whether it was right to deny to Wales what they were granting to this country. Previous to 1904 the magistrates of England had not the absolute right to withdraw all licences in any district. That right was very carefully safeguarded, and the right hon. Gentleman opposite ought to have known that the Judges stated most distinctly that their decision gave no such right, but only the right to deal with each individual case on facts brought before them. So far as experience had gone in other countries they need not go far to find out what the result of prohibition had been. He had any number of cases which he could quote showing the effect in Canada. They knew the result of restrictions in the larger towns in Scotland, where they now had early

Seely, Colonel  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N.W.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)

Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Wedgwood, Josiah C.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whittaker, Rt. Hn. Sir Thomas P.

Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid.)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestershire, N.)  
 Wilson, P. W. (St. Pancras, N.)  
 Wilson, W. T. (Westboughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master  
 of Elibank.

### NOES.

Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hn. Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Bellairs, Carlyon  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Bull, Sir William James  
 Carlile, E. Hildred  
 Carson, Rt. Hon. Sir Edw. H.  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord R. (Marylebone, E.)  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Loyd  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George

Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashford)  
 Harrison-Broadley, H. B.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Hunt, Rowland  
 Kerry, Earl of  
 Keswick, William  
 Lane-Fox, G. R.  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lyttelton, Rt. Hon. Alfred  
 M'Arthur, Charles  
 M'Calmont, Colonel James  
 Marks, H. H. (Kent)  
 Mildmay, Francis Bingham  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Parker, Sir Gilbert (Gravesend)  
 Percy, Earl  
 Powell, Sir Francis Sharp

Rasch, Sir Frederic Carne  
 Ratcliffe, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Salter, Arthur (Lancashire)  
 Sheffield, Sir Berkeley George D.  
 Smith, F. E. (Liverpool, Walton)  
 Smith, Hon. W. F. D. (Strand)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Stafford)  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid.)  
 Williams, Col. R. (Dorset, W.)  
 Willoughby de Eresby, Lord  
 Winterton, Earl  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

EARL WINTERTON moved an Amendment the effect of which was to postpone the operation of the clause to the year 1916. It seemed to him that the reasons in favour of extending the time in Wales were mainly the same as those which had been previously urged against passing the subsection as a whole. The question of putting Wales on an entirely different footing from England in the matter

of local option had already been discussed; but even so he saw no reason why this proposal should come into operation at once. In the case of England it was proposed that local option should not come into operation until after fourteen years, and the Government might consider whether they would not allow the licensed trade in Wales to have some period in order to prepare for the inevitable results of

prohibition there. He and his friends thought that it was a reasonable proposal which they made. The Government throughout this Bill had been only too ready to put upon the shoulders of future Governments the duty of deciding whether this or that should be carried, and, although the Opposition did not altogether agree with that attitude, as it had been adopted for England as a whole it ought to be adopted for Wales. They had a strong case inasmuch as a real hardship would ensue to the liquor trade generally in Wales if the proposal were put into operation at once. He appealed to the Government to accept the Amendment.

#### Amendment proposed—

"In page 5, line 26 to leave out the words 'passing of this Act,' and to insert the words 'first day of January, nineteen hundred and sixteen.'"—(*Earl Winterton.*)

Question proposed, "That the words proposed to be left out, stand part of the Clause."

SIR S. EVANS hoped the noble Lord would not press his Amendment or call upon the Committee to discuss it in detail. He had himself not spoken at length in the previous discussion, but it must be quite obvious to the Committee that whether the opinions held on the subject were right or wrong there had been what he might almost call a passionate appeal on the part of those who represented in a special sense the Principality for a clause of this kind. It would be going entirely contrary to that appeal, so strongly made that afternoon, and also to the opinion of the majority of the Committee as expressed in the division which had just taken place, if they were to postpone the beneficent operation of this provision for the period proposed. He entirely agreed with the sentiments that had been expressed in the debate by all his colleagues, and he believed they represented the views of the vast majority of the country from which he came. It was impossible to accept the Amendment and he trusted the noble Lord would not press it to a division.

MR. AKERS-DOUGLAS said he agreed with the Solicitor-General in this re-

spect only, that he did not think this matter would take up any considerable time of the Committee. At the same time he thought there were one or two reasons why they might differ from the views of the Solicitor-General. The hon. and learned Gentleman said that he thought the chief reason, or one of the reasons, why they should agree to this clause was on account of the passionate appeal urged on the part of those who represented Wales and the opinion which had been expressed by the division that had just taken place. That was all very well, and certainly hon. Members opposite might have given expression to a strong opinion on behalf of a majority in Wales, but in many counties it might be only a majority of one. There was, however, another side to the question, viz., the position of the minority. It would be very hard indeed on the trade and on those who had invested their money in the trade if this clause should come into effect at once, supposing the Bill passed. They ought to give these people some notice so as to prepare for so great a change. It was only reasonable that some close time should be suggested, and he thought they had a precedent for this. The hon. Member for Appleby in a Bill which he introduced some time ago suggested a period of five years which should be, so to speak, a close time, and, therefore, he thought they might have some support from him in their view that this option should not come into force at once. The Opposition held just as strong a view as the Solicitor-General on this question. The hon. and learned Gentleman talked of the passionate view of Wales which he thought ought to prevail, and that the majority ought to have the power at once. The Opposition asked, on the other hand, for some mercy, some consideration for the minority in Wales, and for those who were largely interested in these matters.

\*MR. LEIF JONES said he ought to explain in answer to the right hon. Gentleman that there was no compensation in his Bill. The veto was to operate in five years without compensation. His reason for giving that notice was that under the Act of 1904 the Party opposite conferred a vested interest

upon the trade, and, therefore, he thought he was bound to fix some limit.

\*MR. G. D. FABER (York) said that the Solicitor-General had talked about the passionate appeal that had come from Wales on the question of local option. But the Government Front Bench had been singularly silent on the matter. He looked upon the clause rather as a strategical move on the part of the Government. He believed the clause had been put into the Bill—because there had been many cooks at work—in order that later on in another place it might be thrown out. It was a strategical move, having an eye on another place, and also in order to gratify a certain section of the Government's own supporters. Nobody who had heard the speech of the hon. Member for Carnarvonshire could have any doubt of his feeling on the matter. At the same time, when they were asked to abstain from going to a division on account of a passionate appeal, they must exercise their judgment in the matter, and he thought it would be singularly ill-advised from the point of view of the best interests of this measure, that they should have there and then, if it passed into law, local option for Wales. The very root and foundation of the Bill was the reduction scheme and the compensation fund. By passing this clause the effect would be to throw the licences in Wales that might be reduced under it, upon the compensation fund. They were going to dislocate the whole fund. But the fund had not been created for that purpose. It had been primarily created for the purpose of meeting the reductions that were to be made under Clause 1 of the Bill. They were going to promote financial chaos. They were going to make it the object of the Commission to increase the compensation levy to the highest rate possible. That would cause the greatest unfairness and hardship. It was not fair that the benefit, if any, that would result to Wales from local option should be paid for by England, and that would be the effect of the clause.

THE CHAIRMAN said that the hon. Gentleman should come nearer the point of the Amendment.

*Mr. Leif Jones.*

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THE CHAIRMAN said that that was not the Amendment, which would be some years after the end of the compensation period.

\*MR. G. D. FABER said he did not agree with the noble Lord who moved the Amendment as to the exact time, but he thought he was at liberty to adduce an argument to show that if they postponed local option in Wales it was highly desirable in the interests of everybody concerned. As to the number of years, he would assimilate the period to that in the third clause of the Bill. If England was to have local option at the end of the time-limit he thought it would be only just and proper that Wales should be in the same position. It would be much fairer all round that local option for Wales, if it was brought into force, should wait until the end of the time-limit.

MR. JAMES HOPE (Sheffield, Central) said he desired to join in the protest of his hon. friend the Member for York against the view of the Solicitor-General that they should reject this Amendment because a passionate appeal had come from Wales in favour of the principle of this clause. He entirely demurred. He thought that passion was the last thing which should influence this Assembly, and they should not be influenced by passionate appeal. He might also say that in the Welsh temperament passion was more easily evoked than in that of the English people. He congratulated the hon. and learned Solicitor-General, on his self-restraint in his speech, though he feared he must always find his present position less agreeable than his former seat below the gangway, where there was no necessity for self-restraint. He rather disagreed with his noble friend and should prefer to put in the words "1933" It could fairly be argued that if they took 1923 Wales would be treated with special consideration, because then they would have agreed definitely to give



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the Principality this power, whereas with regard to England they only indicated in a very vague way that they might on some future occasion obtain it. In that case they would be dealing very specially with Wales in order to meet the passionate demand made upon them. It might be objected that, after all, the great point was that Wales should immediately get these special powers, and that whereas a probationary period of fourteen years was necessary in the case of England, in connection with Wales a very much shorter period would be necessary. On the whole, he was not disposed to quarrel with and move an Amendment to his noble friend's proposal, because he had made some concession to Welsh sentiment, but he did most earnestly appeal that the provision as to seven years should be made. He wished to call attention to a very serious thing which was going to happen next year under the combined effect of this clause and the first clause. The first clause said that the licensing justices should prepare a scheme of reduction, but in Wales there was to be granted a power of local option, and he asked what, if this clause came into operation at the date of the passing of the Act, the position of the justices would be? It would be really an intolerable position. They would first of all have to meet and try to make up their minds as to the scheme of reduction, and how it was to be carried out, but while they were doing this they would be in the greatest uncertainty as to what the parochial electors in all the parishes would be about. It would be impossible to frame their scheme of reduction, because all the time they might know that the local electors would be setting on foot other plans, and they could not make any recommendations to the Licensing Commission until they knew the result of all these local elections. They might make their recommendations on a scale which would involve a certain liability on the Compensation Fund. But supposing they ignored this provision as to local option and went ahead without preparing their scheme, made all their calculations as to the number of years, and all the rest, and sent it to the Commission? In

the meantime, after they had taken all this trouble, the passionate electors of certain parishes or districts might set on foot their requisition for local option. They were not bound to do it at once; they might do it at any time within the year; and not till months had passed would it be possible for the justices to know how far their original proposals would be modified, and necessarily modified, by the result of the local option polls. This was, he said, putting the licensing justices in Wales into even a worse position than they would be in England, because all their time, labour, and trouble might be vitiated by these subsequent local polls. On that account he earnestly entreated the Government, if it was only for three years, to defer the operation of this local option provision until they saw how the magistrates were able to work the Act under the powers as to statutory reduction in Clause 1. But if the provision was difficult financially for the justices, it would become intolerable for the Licensing Commission. He had no sympathy with the Licensing Commission. He had read a speech by a member of the present Government saying that if anything particularly indefensible was contemplated the usual method of dealing was to get three lawyers to carry it out. Therefore, he was not greatly in love with the Licensing Commission, but he would like to see them have a fair chance once they began; and they would not have a fair chance, because they would have to consider all these competing schemes for reduction. They would have to consider the schemes for statutory reduction by the justices, and then on top of that would come further modifications of those schemes under subhead (a) subsection (2), of this clause, and the same under subhead (b) and the amount of congestion of work would be almost intolerable for them. He could not see, under these circumstances, that they could possibly frame a yearly budget, because all their calculations might be upset by some few parishes, who were somewhat late in proceeding to take advantage of the local option proposal in Wales. They might consider all the schemes of the justices, and their financial aspects, and then on top of their work would come

certain belated decisions as to local option, which would upset all their calculations. That was not a proud position in which to place the Licensing Commission. The Government must see the difficulty, and he was rather sorry that there was no Cabinet Minister present, though they had been rejoiced to see the First Lord of the Admiralty, who took part in the debate that afternoon, and to know that his other duties did not prevent him from doing so. He would ask the hon. Gentleman in charge of the Bill to give a suspensory reply on this question, and not to give a *non possumus* to the very reasonable request his noble friend had made.

MR. JESSE COLLINGS (Birmingham, Bordesley) said his hon. friend behind him had said that this proposal was not fair: but there was nothing fair within the four corners of the Bill. The Solicitor-General in his speech illustrated the tyrannous character of the position which the Government had taken, not only with regard to this but with regard to almost every other proposal that was made. The hon. and learned Gentleman had given as what he called his chief reason not the principle, but the passionate desire for the provision by what he called the people of Wales.

SIR S. EVANS pointed out that all he had said was that such a proposal went to postpone the system for seven years.

MR. JESSE COLLINGS replied that the Solicitor-General said that his chief reason was pressure of opinion. What about the passionate appeal of what might be forty-nine people out of every 100?

\*THE DEPUTY-CHAIRMAN (Mr. CALDWELL, Lanarkshire, Mid.) said that the expediency of the further reduction had been decided under the Amendment to omit subsection (1). The only question now was the date at which the proposal was to come into operation. By the Bill it was to be the date of the passing of the Act and by the Amendment seven years later.

*Mr. James Hope.*

MR. JESSE COLLINGS said he agreed. He was alluding to the reason given by the Solicitor-General why the Government could not assent to the postponement, and the chief reason was the passionate appeal made to them, which might be that of perhaps fifty-one out of 100 people in a locality. Those who supported the Bill had no great sympathy with the minority, and to his mind one great reason why this suggestion should be assented to was that it would put off the time for seven years at least when the process of prohibition might be entered upon, and secret drinking, home drinking, and the formation of clubs which must inevitably follow on prohibition would take place. They thought those changes might well be postponed for seven years. The Government had made up their minds and they had got the majority behind them to carry out their wishes. But there was no enthusiasm whatever in the opposition to this Amendment; it was only an arbitrary decision. [AN HON. MEMBER: Tyranny.] Yes, tyranny, and a disregard of the minority which was illustrative of the position of the Government in this matter.

MR. REMNANT (Finsbury, Holborn) said he would not have risen to take part in the debate but for the fact that the Amendment, which he heartily supported, was calculated to meet the desires which had been expressed by a good many members of the Welsh party. He extremely regretted that the large amount of enthusiasm which was shown for local option in Wales in the earlier part of the debate had so suddenly evaporated, and that they were reduced to the spectacle of two Welsh Members on the benches opposite. It was a striking illustration of the enthusiasm of Welsh Members, especially when this clause affected them so very closely. The Amendment seemed to him to offer these enthusiastic Welsh Members an opportunity which they had been crying for. It had been declared in no measured tones in the debate that for many years past Wales had been hoping for the opportunity to do away with licensed houses throughout the Principality. It seemed to him that if they extended the period they might have an opportunity



amuel, Herbert L. (Cleveland)  
 chwann, Sir C. E. (Manchester)  
 ears, J. E.  
 eaverns, J. H.  
 eddon, J.  
 eely, Colonel  
 hipman, Dr. John G.  
 ilcock, Thomas Ball  
 imon, John Allsebrook  
 meaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N. W.)  
 Steadman, W. C.  
 Stewart, Halley (Greenock)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.

Taylor, Theodore C. (Radcliffe)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomasson, Franklin  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Torrance, Sir A. M.  
 Toulmin, George  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walsh, Stephen  
 Walters, John Tudor  
 Ward, John (Stoke upon Trent)  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)

Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Mr.  
 Herbert Lewis.

### NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
 Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Ashley, W. W.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Barnard, E. B.  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Butcher, Samuel Henry  
 Carlile, E. Hildred  
 Cave, George  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Loyd  
 Craig, Captain James (Down, E.)  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur

Fetherstonhaugh, Godfrey  
 Fletcher, J. S.  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashf'rd)  
 Harrison-Broadley, H. B.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 M'Arthur, Charles  
 Marks, H. H. (Kent)  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Percy, Earl  
 Rasch, Sir Frederic Carne  
 Ratcliff, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson

Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Smith, F. E. (Liverpool, Walton)  
 Stanier, Beville  
 Starkey, John R.  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Valentia, Viscount  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Williams, Col. R. (Dorset, W.)  
 Winterton, Earl  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Mr.  
 George D. Faber and Mr.  
 Lane-Fox.

SIR S. EVANS said he was glad to be able to adopt an Amendment which had been put on the Paper by an hon. Member opposite. It proposed to insert after "carried," the words "in any rural parish or urban area," and as its effect would be to reduce the size of the area in which local option was to be exercised in Wales, it would bring this clause, so far as areas and districts were concerned, into harmony with Clauses 1 and 2. He begged to move.

#### Amendment proposed—

"In page 5, line 29, after the words 'carried in,' to insert the words 'any rural parish or urban area.'"—(Sir Samuel Evans.)

Question proposed, "That those words be there inserted."

MR. CAVE thought that the hon. and learned Gentleman knew that the Opposition were strongly opposed to this Amendment for the same reason that they were opposed to a former Amendment on which this was consequential. He had always felt strongly that if local veto was imposed it ought only to be in large areas where there was no bias and where an honest vote was obtained.

Question put.

The Committee divided :—Ayes, 197;  
Noes, 66. (Division List No. 286.)

## AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William  
Allen, Charles P. (Stroud)  
Astbury, John Meir  
Atherley-Jones, L.  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Barlow, Percy (Bedford)  
Barnes, G. N.  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Bethell, T. R. (Essex, Maldon)  
Black, Arthur W.  
Boulton, A. C. F.  
Bramson, T. A.  
Branch, James  
Brigg, John  
Brooke, Stopford  
Bryce, J. Annan  
Burnyeat, W. J. D.  
Burt, Rt. Hon. Thomas  
Byles, William Pollard  
Cameron, Robert  
Cawley, Sir Frederick  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.  
Cleland, J. W.  
Clough, William  
Clynes, J. R.  
Collins, Stephen (Lambeth)  
Corbett, C. H. (Sussex, E. Grinst'd)  
Cotton, Sir H. J. S.  
Craig, Herbert J. (Tynemouth)  
Crossley, William J.  
Davies, Ellis William (Eifion)  
Dilke, Rt. Hon. Sir Charles  
Duncan, C. (Barrow-in-Furness)  
Dunn, A. Edward (Camborne)  
Edwards, Clement (Denbigh)  
Edwards, Enoch (Hanley)  
Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Findlay, Alexander  
Foster, Rt. Hon. Sir Walter  
Fuller, John Michael F.  
Fullerton, Hugh  
Gibb, James (Harrow)  
Gill, A. H.  
Glover, Thomas  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Gurdon, Rt. Hon. Sir W. Brampton  
Harcourt, Rt. Hon. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardy, George A. (Suffolk)  
Hart-Davies, T.  
Harvey, A. G. C. (Rochdale)

Harvey, W. E. (Derbyshire, N. E.)  
Harwood, George  
Haslam, James (Derbyshire)  
Hazel, Dr. A. E.  
Hedges, A. Paget  
Hemmerde, Edward George  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon., S.)  
Herbert, T. Arnold (Wycombe)  
Higham, John Sharp  
Hobart, Sir Robert  
Hodge, John  
Hooper, A. G.  
Hope, W. Bateman (Somerset, N.)  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Hudson, Walter  
Hyde, Clarendon  
Jackson, R. S.  
Johnson, John (Gateshead)  
Johnson, W. (Nuneaton)  
Jones, Sir D. Brynmor (Swansea)  
Jones, Leif (Appleby)  
Jones, William (Carnarvonshire)  
Jowett, F. W.  
Kekewich, Sir George  
Kelley, George D.  
Laidlaw, Robert  
Lamb, Edmund G. (Leominster)  
Lamb, Ernest H. (Rochester)  
Lambert, George  
Levy, Sir Maurice  
Luttrell, Hugh Fownes  
Lyell, Charles Henry  
Lynch, H. B.  
Macdonald, J. R. (Leicester)  
Macdonald, J. M. (Falkirk B'ghs)  
Macpherson, J. T.  
M'Callum, John M.  
M'Laren, Sir C. B. (Leicester)  
M'Laren, H. D. (Stafford, W.)  
Maddison, Frederick  
Markham, Arthur Basil  
Marks, G. Croydon (Launceston)  
Marnham, F. J.  
Masterman, C. F. G.  
Menzies, Walter  
Mickletham, Nathaniel  
Middlebrook, William  
Molteno, Percy Alport  
Morse, L. L.  
Murray, Capt. Hn A. C. (Kincard.)  
Murray, James (Aberdeen, E.)  
Myer, Horatio  
Napier, T. B.  
Newnes, F. (Notts, Bassetlaw)  
Nicholls, George  
Nicholson, Charles N. (Doncast'r)  
Nuttall, Harry  
Parker, James (Halifax)  
Partington, Oswald  
Pearce, Robert (Staffs, Leek)  
Pearce, William (Limehouse)

Pollard, Dr.  
Price, C. E. (Edinb'gh, Central)  
Price, Sir Robert J. (Norfolk, E.)  
Priestley, Arthur (Grantham)  
Raphael, Herbert H.  
Rees, J. D.  
Richards, Thomas (W. Monmouth)  
Richards, T. F. (Wolverhampton)  
Roberts, Charles H. (Lincoln)  
Roberts, G. H. (Norwich)  
Roberts, Sir John H. (Denbigh)  
Robertson, J. M. (Tyneside)  
Robinson, S.  
Roch, Walter F. (Pembroke)  
Russell, Rt. Hon. T. W.  
Rutherford, V. H. (Brentford)  
Samuel, Herbert L. (Cleveland)  
Schwann, Sir C. E. (Manchester)  
Sears, J. E.  
Seaverns, J. H.  
Seddon, J.  
Seely, Colonel  
Shipman, Dr. John G.  
Silcock, Thomas Ball  
Simon, John Allsobrook  
Smeaton, Donald Mackenzie  
Snowden, P.  
Soares, Ernest J.  
Spicer, Sir Albert  
Stanley, Albert (Staffs, N. W.)  
Steadman, W. C.  
Stewart, Halley (Greenock)  
Stuart, James (Sunderland)  
Summerbell, T.  
Sutherland, J. E.  
Taylor, Theodore C. (Radcliffe)  
Thomas, Sir A. (Glamorgan, E.)  
Thomasson, Franklin  
Thorne, G. R. (Wolverhampton)  
Tomkinson, James  
Torrance, Sir A. M.  
Toulmin, George  
Vivian, Henry  
Walker, H. De R. (Leicester)  
Walsh, Stephen  
Walters, John Tudor  
Ward, John (Stoke-upon-Trent)  
Wason, Rt. Hon. E. (Blackburn)  
Wason, John (Cathcart, Orkney)  
Watt, Henry A.  
Wedgewood, Josiah C.  
White, Sir George (Norfolk)  
White, J. D. (Dumbartonshire)  
White, Luke (York, E. R.)  
Whitley, John Henry (Halifax)  
Whittaker, Rt. Hon. Sir Thomas P.  
Williams, J. (Glamorgan)  
Williams, Osmond (Merioneth)  
Williamson, A.  
Wills, Arthur Walters  
Wilson, Hon. G. G. (Hall, W.)  
Wilson, Henry J. (York, W. R.)  
Wilson, John (Durham, N. E.)

Wilson, J. H. (Middlesbrough)	Wilson, W. T. (Westhoughton)	TELLERS FOR THE AYES.— Mr. Joseph Pease and Mr. Herbert Lewis.
Wilson, J. W. (Worcestersh.N.)	Wood, T. M'Kinnon	
Wilson, P. W. (St. Pancras, S.)	Yoxall, James Henry	

NOES.

Acland-Hood, RtHn.SirAlex.F	Fardell, Sir T. George	Rasch, Sir Frederic Carne
Anson, Sir William Reynell	Fell, Arthur	Ratcliff, Major R. F.
Anstruther-Gray, Major	Fetherstonhaugh, Godfrey	Remnant, James Farquharson
Ashley, W. W.	Fletcher, J. S.	Renwick, George
Balcarres, Lord	Gardner, Ernest	Ridsdale, E. A.
Baldwin, Stanley	Gibbs, G. A. (Bristol, West)	Roberts, S.(Sheffield,Ecclesall)
Barnard, E. B.	Gooch, HenryCubitt(Peckham)	Rutherford, John (Lancashire)
Brdigeman, W. Clive	Goulding, Edward Alfred	Rutherford, W. W. (Liverpool)
Brotherton, Edward Allen	Gretton, John	Smith, F.E.(Liverpool,Walton)
Butcher, Samuel Henry	Guinness,W.E. (Bury, S. Edm.)	Stanier, Beville
Carlile, E. Hildred	Hamilton, Marquess of	Starkey, John R.
Cecil, Lord R. (Marylebone, E.)	Hardy, Laurence(Kent,Ashford	Talbot, Lord E. (Chichester)
Clive, Percy Archer	Harrison-Broadley, H. B.	Thornton, Percy M.
Coates, Major E.F. (Lewisham)	Hope,JamesFitzalan(Sheffield)	Valentia, Viscount
Collings,Rt.Hn.J.(Birm'ngham	Houston, Robert Paterson	Walker, Col.W.H. (Lancashire)
Courthope, G. Loyd	Lane-Fox, G. R.	Walrond, Hon. Lionel
Craig, CaptainJames(Down,E.)	Long, Col. CharlesW.(Evesham	Warde, Col. C. E. (Kent, Mid)
Dixon-Hartland, SirFredDixon	M'Arthur, Charles	Williams, Col. R. (Dorset, W.)
Douglas, Rt. Hon. A. Akers-	Marks, H. H. (Kent)	Young, Samuel
Du Cros, Arthur Philip	Nicholson, Wm. G. (Petersfield	Younger, George
Duncan,Robert(Lanark,Govan	Nield, Herbert	
Faber, George Denison (York)	Percy, Earl	TELLERS FOR THE NOES.—
Faber, Capt. W.V. (Hants, W.)	Powell, Sir Francis Sharp	Mr. Cave and Mr. Rawlinson.

MR. LUTTRELL (Devonshire, Tavistock) said the Amendment he was about to move was to leave out the words “in Wales (including the county of Monmouth),” so as to give England the same benefit as the Act would confer upon Wales.

MR. JAMES HOPE submitted that the Amendment was out of order, because under Clause 3 it had been decided that local option should be extended in such manner as Parliament might determine at the termination of the reduction period. This clause made a special reduction in the case of Wales, but to accept the Amendment would nullify and stultify the effect of what was carried on Monday by enacting that before the termination of the reduction period local option should generally prevail.

\*THE DEPUTY-CHAIRMAN said that Clause 3, referred to by the hon. Member, had reference to local option which was to come into effect on the termination of the reduction period, in both England and Wales. The Clause (9) presently

before the Committee had reference to a further reduction extending the statutory reduction, and was to have effect after the passing of this Act. The principle of this further reduction was affirmed by the decision to omit subsection 1. The effect of the Amendment to be proposed by the hon. Member (Mr. Luttrell), to leave out “in Wales (including the county of Monmouth),” if carried would be to extend this power of further reduction to the whole of England and Wales, which was quite in order.

\*MR. LUTTRELL said he was asking the Committee whether they would extend the same benefit to England as they were proposing to extend to Wales. After all, statutory powers were to a certain extent arbitrary. [“Hear, hear.”] Hon. Members opposite cheered that. They contended that they were arbitrary in the sense that they might go too far ; but if they admitted that, they must also admit that they might be arbitrary in not going far enough. He held that it was quite possible that the statutory power might not give expression to the views of the people in the locality. Whatever they were they were not a parish body, and

the object of the Bill was to give to parishioners an opportunity of settling what the number of houses in their locality should be. The statutory reduction was an expression of their opinion in the House of Commons and not that of the parishioners. They gave Wales an advantage; why not give the same advantage to England? He could not see why there should be any distinction drawn. It might be said that Wales was in advance of England, but there were many parts of England which were quite as advanced as Wales in the direction of temperance reform. Cornwall was, he believed, solid in favour of local option, and there were many districts of England which were also strongly in favour of extreme temperance reform and which he was convinced would not feel they were being fairly dealt with if advantages were given to Wales over them. He only pleaded that there should be local option. If there was a district which expressed an opinion that the statutory reduction was not sufficient it should have the opportunity of altering it to a certain extent. He did not think that request could be looked upon as unreasonable, nor did he see why the gallantry of Wales should be rewarded over the gallantry of Cornwall and other parts of England.

#### Amendment proposed—

"In page 5, lines 29 and 30, to leave out the words 'in Wales (including the County of Monmouth).'"—(*Mr. Luttrell.*)

Question proposed, "That the words 'in Wales' stand part of the Clause."

SIR S. EVANS said he was afraid they could not accept the Amendment. He recommended his hon. friend to use his powers of persuasion in converting England to the same view as Wales held in the matter. Immediately it appeared that the whole representation of England was in favour of this principle he had no doubt it would be granted. Until that time it was quite obvious that England was not ripe for such a change. The hon. Member said Cornwall was in favour of it, but the reason was obvious. Cornwall was part of Wales. The only portion of England

*Mr. Luttrell.*

to which they could apply this provision was the county of Monmouth, which was taken away from them by their own King Henry VIII.

\*MR. DUNN (Cornwall, Camborne) appealed to the mover to limit the application of the Amendment to Cornwall. If that were done might he appeal to the Solicitor-General to accept the Amendment in that form? The strongest argument he could use in favour of such a course was to adopt that which had fallen from the Solicitor-General a moment ago to the effect that if the whole representation of a district were in favour of such a proposal it should be permitted. Cornish Members were unanimous in this request. They must remember after all that Cornwall was not England. In Cornwall the people still spoke of going into England, and when visitors came to them across the Tamar they still referred to them as foreigners. And, after all, the geographical divisions that divided Cornwall from Devonshire were even more marked than those dividing Monmouthshire from the adjoining districts, and as they were dealing with differential legislation this was important. Seeing that Cornwall was ripe to receive this power and desired it, and that, taking Cornwall as a whole, they were already within the statutory limit, he would appeal most earnestly to the mover to allow the people of Cornwall to go one better than England, and be enabled to do what their Celtic brothers were entitled to do under the provisions of the section.

\*MR. CAVE said it appeared to him that the mover of the Amendment was entirely logical in what he had said, and so was the hon. Gentleman who had just spoken. If the measure was good for Wales it was equally good for England or for any part of England, and if separate treatment was to be applied to Wales, why not to other parts of the Kingdom which desired it? He was not in favour of the Amendment, because he was not in favour of the clause, but the position of the hon. Member who moved the Amendment was more logical than that of the Solicitor-General.

Amendment, by leave, withdrawn.



MR. LANE-FOX (Yorkshire, W.R., Arkston Ash) moved to omit the words "including the county of Monmouth." They had been told that one unanswerable reason why this treatment should be accorded to Wales was that there was solid representation of Members in favour of the change. To be logical they must extend that even further, and say that because Monmouthshire had been misguided enough to send a representation entirely united in their desire to support the present Liberal Government, they were, therefore, uniform in support of the principle of this Bill, a principle which, if once applied to the counties of England must be carried a great deal further. He came from the West Riding of Yorkshire—one of the few Unionist Members. He was sure that West Riding would not wish to have these provisions applied to them. If the Government endeavoured so to apply them, one result would certainly be seen in the next Parliament. There would be very few Liberal representatives from that part of the country. From the political point of view, he was not sure that he should not wish to recommend that point to the House. But there were a great many reasons why they should hesitate before they adopted the suggestion contained in these words. If once they began to apply these conditions to England, there was no knowing where they would stop. The figures of convictions for drunkenness which had been hurled from one side to the other were undoubtedly difficult to put together. They had had figures from the two sides of the House which did not altogether agree, but they could not get away from the fact that there had been an increasing number of convictions for drunkenness in some counties and a decrease in others. They all admired the sincerity of the remarkable speech which they heard earlier in the evening, and no one denied that there was a feeling in Wales on this question which did not exist in English constituencies. The Solicitor-General was very fond of raising precedents, and he had referred to the precedent of Henry VIII. He thought that was going back rather a long distance. To argue that because Monmouth belonged to Wales and not to England in the time of Henry

VIII. they should now restore it, was using a very remarkable argument. The convictions for drunkenness in the county of Monmouth about a quarter of a century ago were 734 per 100,000; and they had fallen in 1905 to 549. In Glamorganshire the figures had risen from 771 per 100,000 to 1,161 in 1905. It was for the Government to give reasons why this clause should apply to Monmouth as well as to Wales—reasons which would controvert these figures. Welshmen would make an excellent bargain because they were to get a great moral impetus at the expense of Englishmen. It seemed to him a gross libel upon the moral condition of the people that they should imply that this great moral regeneration was necessary. They found by the convictions that there had been a steady improvement in drunkenness in Monmouth as had been the case all over England. There were signs of a great improvement in all sections of the community, and before they could contend that Monmouth should be included the Government ought to prove that there was special reason for taking that step apart from the other counties of England. He had much pleasure in moving his Amendment.

#### Amendment proposed—

"In page 5, lines 29 and 30, to leave out the words 'including the County of Monmouth.'"—  
(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

SIR IVOR HERBERT (Monmouthshire, S.) said he had experienced a slight shock whilst listening to the moral views put forward by the hon. Member opposite. The hon. Member admitted that Monmouthshire was improperly taken away from Wales, and because restitution had been delayed for centuries he contended that it ought not to be restored at all. That was not the moral tone which they adopted in the Principality. If an illegal act had been committed—

MR. LANE-FOX said he never asserted that an illegal act had been committed.

inclusion of Monmouthshire in the Principality. One reason suggested by the hon. and gallant Member why Monmouth should be included was that the people of the county were absolutely keen for temperance reform. If the whole of the population of the county were so keen, he wondered why they got drunk so much, for it was remarkable that, as compared with the adjoining counties, there was a large number of convictions for drunkenness. He did not wish to press that point. The mere fact that there were so many convictions for drunkenness in that county might be used as an argument why it should receive the same treatment as Wales. He did not think that the hon. and gallant Gentleman's argument of the extreme desire for temperance on the part of the inhabitants of Monmouthshire could be used as a reason for including the county in the Principality. The most extraordinary point had been made that Monmouthshire was once a part of Wales, until the reign of Henry VIII. They might just as well argue that they were to apply local option to Canada or the States of America, for they belonged to this country far more recently than Monmouthshire belonged to Wales. When they were discussing the proposal to delete subsection (1), the Solicitor-General made a great point of the Welsh Sunday Closing Act. Surely the argument he used then was fatal to the argument now to include Monmouthshire, for it was then excluded. It always had been excluded. Surely the fact of this kind of legislation having been passed on more than one occasion for Wales, always excluding Monmouthshire, was fatal to the argument of including it now. He would like to draw attention to the wording of the section. As it stood now it was—

“Wales, including the county of Monmouth.”

But Wales did not include the county of Monmouth, and how could they allow a section to go on the Statute-

*Mr. Courthope.*

book with words like that? He would like to ask the Chairman's decision on the point. He doubted whether it was within their power in this form to bring Monmouthshire within this section. For all those reasons he strongly supported the leaving out of the county of Monmouth from the clause. He should raise the point again whether it was possible to achieve the object of the Government by the use of the form of words in the clause.

\*MR. REES said that without discussing the merits of Clause 9 he would insist that if it was passed it must include the county of Monmouth. The hon. Gentleman opposite acknowledged that Monmouth was once part of Wales, but he said that that was no argument for its remaining a part of Wales. That showed a complete ignorance of the Welsh character, which was always to hold on to anything that it once had. He could assure the hon. Member that Wales did not mean to let go the county of Monmouth. The hon. Gentleman said that Monmouth was not part of Wales because in Acts of Parliament Monmouth was always referred to separately from Wales, but that only meant that that part of Wales alone deserved, and required specific mention. There were other parts of Wales for which the argument which had been used might be more fairly put forward. For instance, in his own county of Montgomeryshire they would not part with one town, village, or family; although ethnologically one-half of the county, it might be argued, was not Welsh but English. They were Church people, Conservatives, and everything that was English. Did the hon. Member imagine that they would on that account part with one man, woman, or child? How much more was it to ease with Monmouthshire, where, as a point of fact, Welsh was more spoken than in the neighbouring county of Glamorgan or in half the county of

subject of temperance reform was added to the other great national questions a wave of feeling spread over the country that produced the result of which he was a feeble exponent in this House. It was said that the condition of the people should be improved by giving them better dwellings instead of merely shutting up public-houses, but he would ask the Committee to look at the condition of things that existed in his part of the county, the part most English—the part adjacent to the boundary of Gloucestershire. In the two petty sessional divisions near that frontier the condition of things was perfectly appalling. In one division there were no fewer than 51 licensed houses, making the proportion of one to every 100 inhabitants, and the other, that of Chepstow, there were 65, or one to 149 inhabitants. Surely no hon. Member opposite would say it was reasonable for every 100 inhabitants to have their own particular public-house. Nor could their joy be increased by such an excessive number of places of entertainment. The truth was that Welshmen wished in this matter to move a little more rapidly than the Opposition desired. They wanted to get out of a condition of things which had arisen owing to the history of that particular part of the country. That region was at no very distant period the domain of a great nobleman who never lived there and never looked upon the property as anything more than a place to derive rents from and exercise political power over. In one half-mile of this district there were thirteen public-houses. He had often passed them and counted them again and again. A vast amount of evidence was laid before the Licensing Commission, showing the desirability of treating Monmouthshire on account of its geographical and industrial position on precisely the same basis as the neighbouring county of Glamorgan. For administrative reasons it would be very much easier and would make very

much more certain the correct application of the law. In this matter sentiment could not altogether be dismissed. Monmouthshire was Welsh in its language, beliefs, and ideals, and to separate the two on a question so close to the heart of the people of the neighbourhood as temperance reform would be an act that that House should not really sanction.

MR. COURTHOPE (Sussex, Rye) said the hon. and gallant Member opposite had stated one or two reasons why he thought Monmouthshire should be treated as part of Wales. One of the points he made was in regard to the number of public-houses there. It was stated that in one district there was 1 to the 100 of population, and in another 1 to 149. These figures were not borne out by the official Returns.

SIR IVOR HERBERT said the official Returns were not brought up to the day before yesterday, as his information was.

MR. COURTHOPE said that if the official Returns for 1907 were correct, and if the hon. and gallant Member's figures were correct, then all he could say was that the justices of Monmouthshire must have granted a great many new licences during the past year. The official figures showed that in one of the petty sessions districts referred to by the hon. Member the proportion of licensed houses was 39·43 per 10,000 of the population; in Newport 24 per 10,000 of the population, and in the only district where the figure was large the proportion was 105 per 10,000 of the population, so that the argument of the hon. Member fell to the ground. For the sake of argument he would assume that the hon. Gentleman's information was correct. If that was so, all the more rapid and greater would be the decrease of licences under Clause 1 of the Bill, and therefore, he did not think that the hon. and gallant Member could found on that an argument for the

England only received a miserable one. But those were never counties, and he defied any hon. Member to prove that they ever did form counties of England or Wales before. If they referred to the statute it was pretty clear that Monmouthshire was included among the counties of England and the other counties were added to the Principality. So far as historical truth was concerned, there was no truth whatever in the statement that Monmouthshire formed part of Wales. As to the guide of language, he was not sure about the last census, but the census before that showed that in one place the number of the population who declared that they were monoglot Welshmen was four, while the number of monoglot Englishmen was seventy-nine, and it was not quite clear whether Monmouthshire spoke Welsh or English. As to precedents one was a temperance measure and the other was not. The temperance measure expressly excluded Monmouthshire, and was confined to the counties of the Principality. When, therefore, they were dealing with a temperance measure which was the matured opinion of the Liberal Government in 1881, and he assumed they were right in forming their judgment—perhaps more right than they were now—it was treated as English. Except perhaps for the majorities on this question, he could not see why they should sever the Principality of Wales from the rest of England in this manner any more than any other localities. There were majorities in favour of dealing more drastically with the temperance question in other parts of England, but the Government was not likely to yield to them. He did not think they should carry out what was an unfortunate precedent on the part of the Conservative Government in the Education Act. He, therefore, should vote against the proposal.

SIR S. EVANS was understood to say that it was part and parcel  
*Mr. Laurence Hardy.*

of the Government plan to include Monmouthshire with the rest of Wales, to which it was attached and to which it properly belonged. The hon. Member who had just sat down had referred to the Act of Henry VIII., but undoubtedly under that Act Monmouthshire was not a county at all. As a matter of fact at that time, and up to that time, the area now covered by the County of Monmouth consisted of several marches, and the marches were not five along the West parts of Wales, as the hon. Member had said, but 150.

MR. LAURENCE HARDY said he had only stated that they were divided into five.

SIR S. EVANS said there were 150, and 24 of these marches were taken to form the County of Monmouthshire. That was done under the Act of Union between England and Wales. It was a significant fact that Monmouthshire should be constituted English under the Act of Parliament which provided for the Union. For sometime previous Monmouthshire had not any representative in Parliament. Until the time of Henry VIII. they never sent one and it was intended amongst other things under that Act that certain representatives should be allotted to various counties in the Principality, and Monmouthshire was treated just as the other counties. The tendency of recent years had invariably been to connect Monmouth with Wales for all purposes, and the people in Monmouthshire regarded themselves as part and parcel of the Principality. He would not refer again to the precedents, but it was a curious thing that in an Act of Parliament which had been referred to Monmouthshire came right in the middle of the shires. However that might be, the tendency of modern legislation had been to connect Monmouthshire with Wales, and it was intended so to



clude Monmouthshire in the licensing Bill. It was intended to include that county in the Disestablishment measure which was produced in this House thirteen fourteen years ago, because the whole of Monmouthshire was in the diocese of Llandaff. Therefore, for episcopal, ethnographical, geographical, historical, practical, and political reasons Monmouth should be included with Wales.

MR. WYNDHAM said he had listened with the greatest interest to the last defence of the Ministry of what they were asked to believe was temperance reform. They had had abundant time to say that local veto or prohibition was the best of all forms of temperance legislation, or that even it was a temperance reform at all. The Government had been well-advised to abandon that defence because when they were discussing this question the day before yesterday he thought, with the single exception of the hon. Member for Appleby, not one of their supporters was prepared to say that it was that kind of temperance reform that he advocated. The defence put forward for this so-called temperance reform was concentrated by the Solicitor-General into a historical disquisition which an hon. friend assured him did not come up to the standard of historical accuracy of which the hon. and learned Gentleman was a recognised custodian. They had been assisting, in a debate on temperance reform, to enact within the small arena of our domestic frontier a parallel to the great drama which had recently been enacted in the Far East. They were engaged, or at least the Government were engaged, in a rectification of frontier. They were not discussing temperance reform, but what in the language of diplomacy was called "the peaceful penetration of England." But why should this so-called temperance Bill be made the means of annexing to Wales part of England? If there was to be this infraction of territory, at least let it be done deliberately and with some

regard to treaties in the past. He did not think it would do to make a debate in favour of temperance reform the occasion for altering the map of Great Britain. If hon. Members who supported the Government believed that local veto was a temperance reform, and the best kind of temperance reform, then he could understand their position; but nobody had ever said or attempted to show that it was a great blessing, and casting aside all this historical, political, and romantic disquisition upon the patriotism of Wales let them preserve this bit of England, which was a piece of England *de jure*, from being brought under what they believed to be not a blessing but a curse.

\*MR. BRIDGEMAN (Shropshire, Oswestry) said that as representing a border constituency he felt a little anxious about any question of the line of the boundaries between England and Wales. Although he had never observed that the Government had shown any intention to extend it to the county in which he lived, he felt that a very bad precedent would be created if he were to vote for including in Wales any county bordering the Principality. He was not interested in the historical or ethnological argument of the Solicitor-General. The speech the Committee ought to turn to was that of the hon. and gallant Member for Monmouth, which, the hon. Gentleman said, represented the feeling of the country. He had introduced a new mandate and told the Committee that he won his seat on local option in Monmouth.

SIR IVOR HERBERT said, not local option. His point was that what made his seat quite safe was the adoption of the right hon. Gentleman opposite, the then head of the Government, of the views of the trade on the licensing question.

\*MR. BRIDGEMAN expressed the hope that on the next occasion the hon.

Gentleman would be able and would be careful to attribute the result of the election to the same cause. His speech was quite unlike that of any Welsh Member supporting this principle. They supported the principle on the ground that Wales was in favour of and entitled to exceptional treatment, because of the saintliness of the Welsh people; but the hon. and gallant Gentleman advocated that it should be extended to Monmouthshire on the ground that Monmouthshire was a bad county and had a great many public-houses. It was not on the ground that Monmouth was a good place and had so reduced the number of licences that they must have local option extended to them in order to effect further reductions, but that Monmouth was so bad that it would be good to include it in the Welsh scheme. Such an argument as that would apply equally well to Scotland and Ireland. He hoped the hon. Gentleman would include them with Monmouth and advocate this principle for the whole country.

\*MR. R. DUNCAN (Lanarkshire, Govan) thought that the speeches to which the Committee had listened from hon. Gentlemen opposite were very fair representations of the swallowing capacity of Wales. They had heard a great deal of her swallowing power. She was now

apparently bent on swallowing a small sprat in Monmouth, and would go on swallowing until she had swallowed England, Scotland, and Ireland. That was but a commencement. One step followed another: a hot Catholic drew out a strong Orangeman—the vigour of one drew out the vigour of the other. Fanatics begat fanatics. Welshmen, they knew, drank strong waters, and he admitted that Scotsmen drank far too much; but because Scotsmen drank too much, were they to force Englishmen to drink nothing? He had read and he had heard the words preached from the pulpit, that we should be temperate in all things, but he had never read that there should be total abstinence from all things, whether wine, women, or song. Where would the coming generations be if we were to abstain totally from these humanities? This proposal was an attempt on the part of Wales to spread the system of total abstinence, and he protested against it. England would become prohibitionist, Scotland would become prohibitionist, and poor Ireland, considerably dependent for her prosperity on her poteen and her Guinness, would have to become a total abstainer.

Question put.

The Committee divided:—Ayes, 272; Noes, 103. (Division List No. 287.)

#### AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Anstruther-Gray, Major  
Armstrong, W. C. Heaton  
Asquith, Rt. Hon. Herbert Henry  
Astbury, John Meir  
Atherley-Jones, L.  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barlow, Percy (Bedford)  
Barnes, G. N.

Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo)  
Berridge, T. H. D.  
Bethell, Sir J. H. (Essex, Romf'rd)  
Bethell, T. R. (Essex, Maldon)  
Black, Arthur W.  
Boulton, A. C. F.  
Bowerman, C. W.  
Bramsdon, T. A.  
Branch, James  
Brigg, John

Bright, J. A.  
Brodie, H. C.  
Brooke, Stopford  
Bryce, J. Annan  
Burnyeat, W. J. D.  
Burt, Rt. Hon. Thomas  
Byles, William Pollard  
Cameron, Robert  
Carr-Gomm, H. W.  
Castlereagh, Viscount  
Cawley, Sir Frederick  
Chance, Frederick William  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Cherry, Rt. Hon. R. R.

*Mr. Bridgeman.*

Churchill, Rt. Hon. Winston S.  
 Clough, William  
 Clynes, J. R.  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, CH (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crossley, William J.  
 Dalmeny, Lord  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan- (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Harwood, George  
 Haslam, James (Derbyshire)  
 Haworth, Arthur A.  
 Hazel, Dr. A. E.  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Hemmerde, Edward George  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hodge, John  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Jackson, R. S.

Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Leese, Sir Joseph F. (Accrington)  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Luttrell, Hugh Fownes  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 M'Callum, John M.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, Sir C. B. (Leicester)  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Maddison, Frederick  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.  
 Masterman, C. F. G.  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morrell, Philip  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinb'gh, Central)  
 Price, Sir Robert J. (Norfolk, E.)

Priestley, Arthur (Grantham)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th)  
 Richards, T. F. (Wolverhampt'n)  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N. W.)  
 Steadman, W. C.  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thomasson, Franklin  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wason, Rt. Hon. E. (Clackmannan)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah A.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hon. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)

Wilson, Henry J. (York, W.R.)  
Wilson, John (Durham, Mid)  
Wilson, J. H. (Middlesbrough)  
Wilson, J. W. (Worcestersh.N.)

Wilson, P. W. (St. Pancras, S.)  
Wilson, W. T. (Westhoughton)  
Wood, T. M'Kinnon  
Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
Joseph Pease and Master of  
Elibank.

## NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.  
Anson, Sir William Reynell  
Arkwright, John Stanhope  
Ashley, W. W.  
Aubrey-Fletcher, Rt. Hn. Sir H.  
Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt. Hn. A. J. (City Lond.)  
Banbury, Sir Frederick George  
Banner, John S. Harwood  
Beckett, Hon. Gervase  
Bignold, Sir Arthur  
Bowles, G. Stewart  
Bridgeman, W. Clive  
Brotherton, Edward Allen  
Butcher, Samuel Henry  
Carlile, E. Hildred  
Cave, George  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord R. (Marylebone, E.)  
Clive, Percy Archer  
Coates, Major E. F. (Lewisham)  
Collings, Rt. Hn. J. (Birmingham)  
Courthope, G. Loyd  
Craig, Captain James (Down, E.)  
Craik, Sir Henry  
Dixon-Hartland, Sir Fred Dixon  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, Robert (Lanark Govan)  
Faber, Capt. W. V. (Hants, W.)  
Fardell, Sir T. George  
Fell, Arthur  
Fetherstonhaugh, Godfrey  
Fletcher, J. S.  
Forster, Henry William

Gardner, Ernest  
Gibbs, G. A. (Bristol, West)  
Gooch, Henry Cubitt (Peckham)  
Goulding, Edward Alfred  
Gretton, John  
Guinness, Hn. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Haddock, George B.  
Hamilton, Marquess of  
Hardy, Laurence (Kent, Ashf'rd)  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Hills, J. W.  
Hope, James Fitzalan (Sheffield)  
Houston, Robert Paterson  
Kerry, Earl of  
Keswick, William  
Law, Andrew Bonar (Dulwich)  
Lee, Arthur H. (Hants, Fareham)  
Lockwood, Rt. Hn. Lt.-Col. A. R.  
Long, Col. Charles W. (Evesham)  
Long, Rt. Hn. Walter (Dublin, S.)  
Lonsdale, John Brownlee  
Lowe, Sir Francis William  
Lyttelton, Rt. Hon. Alfred  
M'Arthur, Charles  
M'Calmont, Colonel James  
Marks, H. H. (Kent)  
Mildmay, Francis Bingham  
Morpeth, Viscount  
Morrison-Bell, Captain  
Nicholson, Wm. G. (Petersfield)  
Nield, Herbert  
Parker, Sir Gilbert (Gravesend)  
Pease, Herbert Pike (Darlington)  
Percy, Earl

Powell, Sir Francis Sharp  
Rasch, Sir Frederic Carne  
Ratcliff, Major R. F.  
Rawlinson, John Frederick Peel  
Remnant, James Farquharson  
Renton, Leslie  
Renwick, George  
Roberts, S. (Sheffield, Ecclesall)  
Ronaldshay, Earl of  
Rutherford, John (Lancashire)  
Rutherford, W. W. (Liverpool)  
Sheffield, Sir Berkeley George D.  
Smith, F. E. (Liverpool, Walton)  
Smith, Hon. W. F. D. (Strand)  
Stanier, Beville  
Starkey, John R.  
Staveley-Hill, Henry (Staff' sh.)  
Straus, E. A. (Abingdon)  
Talbot, Lord E. (Chichester)  
Thornton, Percy M.  
Valentia, Viscount  
Walker, Col. W. H. (Lancashire)  
Walrond, Hon. Colonel  
Warde, Col. C. E. (Kent, Mid)  
Willoughby de Eresby, Lord  
Wilson, A. Stanley (York, E. R.)  
Winterton, Earl  
Wortley, Rt. Hn. C. B. Stuart  
Wyndham, Rt. Hon. George  
Young, Samuel  
Younger, George

TELLERS FOR THE NOES—Mr.  
Lane-Fox and Mr. George  
D. Faber.

And, it being after half-past Ten of the clock, the CHAIRMAN proceeded, pursuant to the Order of the House of 17th July, to put forthwith the Question on the Amendments proposed by the Government of which Notice had been given.

## Amendments made—

“In page 5, line 30, to leave out the word ‘section,’ and to insert the word ‘Act.’”—  
(Sir Samuel Evans.)

“In page 5, line 31, after the word ‘shall,’ to insert the words ‘within such time as the

Licensing Commission may fix.’”—(Sir Samuel Evans.)

The CHAIRMAN then proceeded to put forthwith the Question necessary to dispose of the Business to be concluded at this day's sitting.

Question put, “That the Clause, as amended, stand part of the Bill.”

The Committee divided:—Ayes, 372;  
Noes, 104. (Division List No. 288.)

## AYES.

Abraham, William (Rhondda)  
Acland, Francis Dyke  
Agnew, George William  
Allen, A. Acland (Christchurch)

Allen, Chas. W.<sup>d</sup> (Stroud)  
Armstrong, T. A. Heaton  
Asquith, James  
Astbury, John

Atherley-Jones, L.  
Baker, Joseph A. (Finsbury, E.)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)

W. W. C.  
Rt. Hn. Mr.  
John Mair



Barlow, Percy (Bedford)  
 Barnes, G. N.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Belloc, Hilaire Joseph Peter R.  
 Benn, Sir J. Williams (Devonport)  
 Benn, W. (Tw'r Hamlets, S. Geo.)  
 Berridge, T. H. D.  
 Bethell, Sir J. H. (Essex, Rom'rd)  
 Bethell, T. R. (Essex, Maldon)  
 Black, Arthur W.  
 Boulton, A. C. F.  
 Bowerman, C. W.  
 Bramsdon, T. A.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Burnyeat, W. J. D.  
 Burt, Rt. Hon. Thomas  
 Byles, William Pollard  
 Cameron, Robert  
 Carr-Gomm, H. W.  
 Cawley, Sir Frederick  
 Chance, Frederick William  
 Channing, Sir Francis Allston  
 Cheetham, John Frederick  
 Cherry, Rt. Hon. R. R.  
 Churchill, Rt. Hon. Winston S.  
 Clough, William  
 Clynes, J. R.  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W.)  
 Corbett, CH. (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Craig, Herbert J. (Tynemouth)  
 Crossley, William J.  
 Dalmeny, Lord  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, M. Vaughan (Cardigan)  
 Davies, Timothy (Fulham)  
 Davies, Sir W. Howell (Bristol, S.)  
 Duncan, C. (Barrow-in-Furness)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Clement (Denbigh)  
 Edwards, Enoch (Hanley)  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Foster, Rt. Hon. Sir Walter  
 Fullerton, Hugh  
 Gibb, James (Harrow)  
 Gill, A. H.  
 Gladstone, Rt. Hon. Herbert John  
 Glen-Coats, Sir T. (Renfrew, W.)  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)

Guest, Hon. Ivor Churchill  
 Gulland, John W.  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Hart-Davies, T.  
 Harvey, A. G. C. (Rochdale)  
 Harvey, W. E. (Derbyshire, N. E.)  
 Haslam, James (Derbyshire)  
 Haworth, Arthur A.  
 Hazel, Dr. A. E.  
 Hedges, A. Paget  
 Helme, Norval Watson  
 Hemmerde, Edward George  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobart, Sir Robert  
 Hodge, John  
 Holt, Richard Durning  
 Hooper, A. G.  
 Hope, W. Bateman (Somerset, N.)  
 Horniman, Emslie John  
 Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Jackson, R. S.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, Leif (Appleby)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Kearley, Sir Hudson E.  
 Kekewich, Sir George  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Edmund G. (Leominster)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Lamont, Norman  
 Leese, Sir Joseph F. (Accrington)  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lough, Rt. Hon. Thomas  
 Luttrell, Hugh Fownes  
 Lyell, Charles Henry  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 McCallum, John M.  
 McCrae, Sir George  
 McKenna, Rt. Hon. Reginald  
 McLaren, Sir C. B. (Leicester)  
 McLaren, H. D. (Stafford, W.)  
 McMicking, Major G.  
 Maddison, Frederick  
 Markham, Arthur Basil  
 Marks, G. Croydon (Launceston)  
 Marnham, F. J.  
 Massie, J.

Masterman, C. F. G.  
 Micklem, Nathaniel  
 Middlebrook, William  
 Molteno, Percy Alport  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morrell, Philip  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Murray, Capt. Hn. A. C. (Kincard.)  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Napier, T. B.  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norton, Capt. Cecil William  
 Nussey, Thomas Willans  
 Nuttall, Harry  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 Parker, James (Halifax)  
 Partington, Oswald  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pirie, Duncan V.  
 Pollard, Dr.  
 Ponsonby, Arthur A. W. H.  
 Price, C. E. (Edinburgh, Central)  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rees, J. D.  
 Richards, Thomas (W. Monm'th)  
 Richards, F. T. (Wolverhampton)  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robertson, J. M. (Tyneside)  
 Robinson, S.  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rose, Charles Day  
 Rowlands, J.  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleland)  
 Samuel, S. M. (Whitechapel)  
 Schwann, C. Duncan (Hyde)  
 Schwann, Sir C. E. (Manchester)  
 Scott, A. H. (Ashton under Lyne)  
 Sears, J. E.  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shipman, Dr. John G.  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanley, Albert (Staffs, N. W.)  
 Stanley, Hn. A. Lyulph (Chesh.)

Steadman, W. C.  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Sutherland, J. E.  
 Taylor, Theodore C. (Radcliffe)  
 Thomas, Abel (Carmarthen, E.)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thomas, David Alfred (Merthyr)  
 Thorne, G. R. (Wolverhampton)  
 Tomkinson, James  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry

Walker, H. De R. (Leicester)  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke upon Trent)  
 Wason, Rt. Hn. E. (Clackmannan)  
 Waterlow, D. S.  
 Wedgwood, Josiah C.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thos. P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Osmond (Merioneth)  
 Williamson, A.

Wills, Arthur Walters  
 Wilson, Hon. G. G. (Hull, W.)  
 Wilson, Henry J. (York, W. R.)  
 Wilson, John (Durham, Mid)  
 Wilson, J. H. (Middlesbrough)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon  
 Yoxall, James Henry

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Anson, Sir William Reynell  
 Anstruther-Gray, Major  
 Arkwright, John Stanhope  
 Ashley, W. W.  
 Aubrey-Fletcher, Rt. Hon. Sir H.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harwood-  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bowles, G. Stewart  
 Bridgeman, W. Clive  
 Brotherton, Edward Allen  
 Butcher, Samuel Henry  
 Carlile, E. Hildred  
 Castlereagh, Viscount  
 Cave, George  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord R. (Marylebone, E.)  
 Clive, Percy Archer  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hn. J. (Birm'g'am)  
 Courthope, G. Loyd  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Akers-  
 Du Cros, Arthur Philip  
 Faber, George Denison (York)  
 Faber, Capt. W. V. (Hants, W.)  
 Fardell, Sir T. George  
 Fell, Arthur  
 Fetherstonhaugh, Godfrey  
 Fletcher, J. S.

Forster, Henry William  
 Gardner, Ernest  
 Gibbs, G. A. (Bristol, West)  
 Gooch, Henry Cubitt (Peckham)  
 Goulding, Edward Alfred  
 Gretton, John  
 Guinness, Hon. R. (Haggerston)  
 Guinness, W. E. (Bury S Edm.)  
 Haddock, George B.  
 Hamilton, Marquess of  
 Hardy, Laurence (Kent, Ashford)  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Hills, J. W.  
 Hope, James Fitzalan (Sheffield)  
 Houston, Robert Paterson  
 Kerry, Earl of  
 Keswick, William  
 Lane-Fox, G. R.  
 Law, Andrew Bonar (Dulwich)  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Col. Charles W. (Evesham)  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Lyttelton, Rt. Hon. Alfred  
 M'Arthur, Charles  
 M'Calmont, Colonel James  
 Marks, H. H. (Kent)  
 Mildmay, Francis Bingham  
 Morpeth, Viscount  
 Morrison-Bell, Captain  
 Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Parker, Sir Gilbert (Gravesend)

Pease, Herbert Pike (Darlington)  
 Percy, Earl  
 Powell, Sir Francis Sharp  
 Rasch, Sir Frederic Carne  
 Ratcliffe, Major R. F.  
 Rawlinson, John Frederick Peel  
 Remnant, James Farquharson  
 Renton, Leslie  
 Renwick, George  
 Roberts, S. (Sheffield, Ecclesall)  
 Ronaldshay, Earl of  
 Rutherford, John (Lancashire)  
 Rutherford, W. W. (Liverpool)  
 Sheffield, Sir Berkeley George D.  
 Smith, F. E. (Liverpool, Walton)  
 Smith, Hon. W. F. D. (Strand)  
 Stanier, Beville  
 Starkey, John R.  
 Staveley-Hill, Henry (Staffsh.)  
 Strauss, E. A. (Abingdon)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Walker, Col. W. H. (Lancashire)  
 Walrond, Hon. Lionel  
 Warde, Col. C. E. (Kent, Mid)  
 Willoughby de Eresby, Lord  
 Wilson, A. Stanley (York, E. R.)  
 Winterton, Earl  
 Wortley, Rt. Hon. C. B. Stuart-  
 Wyndham, Rt. Hon. George  
 Young, Samuel  
 Younger, George

TELLERS FOR THE NOES—Sir  
 Alexander Acland-Hood and  
 Viscount Valentia.

Motion made, and Question, "That the Chairman do report Progress; and ask leave to sit again,"—(*Mr. Asquith*)—put, and agreed to.

Committee report Progress; to sit again To-morrow.

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at sixteen minutes before Eleven o'clock.

## HOUSE OF COMMONS.

Friday, October 23rd, 1908.

The House met at Twelve noon of the  
clock.

## PETITIONS.

## LICENSING BILL.

Petitions against: From Midsomer  
orton and other places; and, Somerton  
and other places; to lie upon the Table.

Petitions in favour: From Hampstead  
and other places; Isle of Sheppey; and,  
Women's Total Abstinence Union; to lie  
upon the Table.

SUMMARY JURISDICTION (SCOTLAND)  
BILL.

Petition from Greenock, in favour; to  
lie upon the Table.

## WOMEN'S ENFRANCHISEMENT BILL.

Petitions from Ambleside, in favour;  
to lie upon the Table.

## RETURNS, REPORTS, ETC.

## CATTLE-DRIVES (IRELAND).

Return presented, relative thereto  
[Ordered 19th October—*Mr. Lonsdale*];  
to lie upon the Table.

TRANSVAAL GOVERNMENT GUARAN-  
TEED LOAN.

Copy presented, of Treasury Minute,  
dated 21st October, 1908, guaranteeing  
the further issue of £1,000,000 Transvaal  
Treasury Bill [by Act]; to lie upon the  
Table.

## UNEMPLOYMENT.

Copy presented, of Statement relative  
to certain Loans sanctioned by the Local  
Government Board, or with respect to  
which application for sanction has been  
made to them [by Command]; to lie  
upon the Table.

QUESTIONS AND ANSWERS  
CIRCULATED WITH THE VOTES.

## Fees for Supplying Birth Certificates.

MR. SUMMERBELL (Sunderland):  
To ask the President of the Local

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Government Board, whether he is aware  
of the charges now being made, amounting  
in many cases to the sum of 3s. 7d., for  
the supply of birth certificates and search  
for same to applicants for old age  
pensions; and whether he is prepared to  
take steps to have such charges reduced,  
considering the means of the applicants.

(*Answered by Mr. John Burns.*) I have  
no power to reduce the statutory fees for  
supplying birth certificates, but I may  
say that arrangements were some time  
since made under which any claimant for  
an old age pension whose birth was  
registered in England or Wales since 1st  
July 1837, and who can give the place and  
date of birth, need not go to the expense  
of purchasing a birth certificate, and the  
pension officer can verify the particulars  
without expense to the claimant.

New Post Office in Newgate Street—  
Building Contract and the Fair  
Wages Clause.

MR. W. T. WILSON (Lancashire,  
Westhoughton): To ask the First Com-  
missioner of Works, if he can state  
whether the contractors for the new post  
office in Newgate Street, E.C., are paying  
the standard rate of wage to the  
labourers and scaffolders, viz. 7d. and  
7½d. per hour; whether the other  
workmen engaged in the various trades  
on that job are paid the standard rate;  
and, if not, will he cause inquiries to be  
made with the object of ascertaining  
whether the Fair Wages Clause is being  
observed.

(*Answered by Mr. Harcourt.*) Inquiry  
has been made, and the Answers to the  
first two Questions are in the affirmative,  
as regards competent workmen. Out of  
442 on the books on the 21st instant I  
am advised that sixty-one do not come  
within the category. These are dis-  
tributed as follows:—

Smiths: 12 boys and youths at wages  
from 4½d. to 5½d. making stirrups and  
links, that is, cutting off and bending  
hoop iron and wire.

Labourers: 15. Old men, boys, clerks,  
etc., employed in picking up firewood,  
waiting on carpenters, and doing odd  
things, wages 5d. to 6½d.

Carpenters: 11 improvers 7½d. to 9d.

Mess room boys: 4 at 4½d.

Hackers: 19. All boys, fifteen to  
seventeen years of age, wages 3d. to 3½d.

Probably the same amount of work could be done with less than half the number of labourers and possibly with economy to the builders, but on the other hand the above are good enough for the work they have to do, and if discharged they would find it difficult to obtain employment. By employing them on work which does not demand even skilled labourers, the builders are probably doing the greatest good to the greatest number. The carpenters' improvers seem to be really necessary. If the number of carpenters is to be maintained there must be an opportunity to learn the business. The hackers are boys who hack the concrete walls and ceilings to form a key for the plastering.

#### Discharge of Office of Works Employees.

MR. W. T. WILSON: To ask the First Commissioner of Works, whether he is aware that workmen are being discharged from the Works Department at the Law Courts and Somerset House, although there is a considerable amount of work in hand, on the ground that the money voted for the work is exhausted; and whether, in view of the number of unemployed workmen, he can see his way to approach the Treasury to secure a further grant so that the work in hand may be completed, and at the same time find employment for more men.

(Answered by Mr. Harcourt.) In regard to the Law Courts, works of alteration and also of general overhaul and repair, such as painting, etc., can only be carried out during the vacation when the building is unoccupied. An accumulation of work has, therefore, to be done within a comparatively short time, and more men are necessarily employed for that time than can be retained during the rest of the year. The new staircase is still in course of erection, and the extension of the Courts, which will be commenced immediately, will give employment to a number of men. In regard to Somerset House, the external painting has been completed recently; it is work which can only be done during good weather. No works at either building have been suspended for want of funds; the only works for which the money voted is exhausted are the works which have been completed. At both buildings a considerable number of men are engaged

upon the ordinary maintenance work which continues throughout the year.

#### Taxes in England and Ireland.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Treasury what taxes are levied in England and not in Ireland; and what taxes are levied in England and Ireland on different scales, stating the amount of the difference.

(Answered by Mr. Hobhouse.) Imperial Taxes levied in England and not in Ireland:—

#### Excise licence duties:

Makers or vendors of patent medicines.

Spirits dealers, additional licence to retail spirits, off.

Beer retailers, off.

Cider retailers, on or off.

Dogs.

Male servants.

Carriages.

Armorial bearings.

Railway passenger duty.

#### Death duties:

Legacy duty, bequests to charities.

#### Stamp duties:

Marriage licences (not special).

Patent medicines.

Apprenticeship, instrument of, premium or consideration not exceeding £10.

#### Land Tax.

Inhabited house duty.

Imperial Taxes levied in England and Ireland on different scales.

	England.	Ireland.
	£	£
Excise Licences:		
Gamekeepers (in Great Britain gamekeepers are also chargeable as male servants) -	2	3
Stamp duties:		
Faculty, licence, commission, or dispensation for admitting or authorising any person to act as a notary public -	30	20
Faculty or dispensation of any other kind -	30	35



**Tenure of Office of Admirals.**

MR. STAVELEY-HILL (Staffordshire, Kingswinford): To ask the First Lord of the Admiralty for how long Admiral of the Fleet Sir Arthur Wilson occupied his post as Commander-in-Chief of the Channel Fleet.

(Answered by Mr. McKenna.) Sir Arthur Wilson was appointed Commander-in-Chief of the Home Fleet from 21st May, 1903. This Fleet was renamed the Channel Fleet on 1st January, 1905, and Sir Arthur Wilson continued to hold the command of it until 4th March, 1907.

MR. STAVELEY-HILL: To ask the First Lord of the Admiralty for how long Admiral of the Fleet Lord Walter Kerr occupied the post of First Sea Lord, and for how long after his special promotion he continued in office.

(Answered by Mr. McKenna.) Admiral of the Fleet Lord Walter Kerr occupied the post of First Sea Lord for five years and two months, having been appointed on 14th August, 1899, and ceased duty on 20th October, 1904. He continued as First Sea Lord for four months after being promoted to Admiral of the Fleet.

MR. STAVELEY-HILL: To ask the First Lord of the Admiralty for how long Admiral Lord Charles Beresford has occupied his present post as Commander-in-Chief of the Channel Fleet; and whether the appointment of a new Commander-in-Chief, which has been announced to take effect after next March, was in any way authorised by the Admiralty.

(Answered by Mr. McKenna.) Lord Charles Beresford has held the command of the Channel Fleet for more than nineteen months. The Admiralty have not made any appointment of a new Commander-in-Chief.

MR. STAVELEY-HILL: To ask the First Lord of the Admiralty how long Admiral of the Fleet Sir John Fisher has occupied his post as First Sea Lord, and how long it is since the date of his special promotion to Admiral of the Fleet in order to prevent his retirement under the age clause of sixty-five years.

(Answered by Mr. McKenna.) Admiral of the Fleet Sir John Fisher has occupied the post of First Sea Lord for four years, having been appointed on 20th October, 1904. He was promoted to Admiral of the Fleet on 4th December, 1905.

**Weekly Half-Holiday at Aberdeen Post Office.**

MR. PIRIE (Aberdeen, N.): To ask the Postmaster-General whether the Postal Telegraph Clerks' Association expressed the wish of its members that paragraph 281 of the Hobhouse Committee's Report, relating to the weekly half-holiday, should not be enforced; if he consented to defer to the wishes of the staff in this respect; whether at Aberdeen a new system has been introduced against the desires of the staff and in spite of its strong protests; and, if so, if he will state the reasons for enforcing the innovation at this office.

(Answered by Mr. Sydney Buxton.) Representations were made to me on this subject, and I gave them my fullest consideration. Wherever practicable I am desirous of meeting the wishes of the staff in the matter of the Saturday half-holiday, but attendances must of course coincide with the incidence of the work. This is what has lately been done at Aberdeen.

**Finance Act—Section 6 (1)—Issue of Order in Council.**

MR. VERNEY (Buckinghamshire, N.): To ask the President of the Local Government Board whether he can state when the Order in Council will be issued under Section 6 (1) of the Finance Act, 1908.

(Answered by Mr. John Burns.) The Order in Council has been made and will shortly be published. A circular letter will be issued by the Board, as soon as practicable, forwarding copies of the Order to councils of counties and county boroughs, and explaining the scheme embodied in it.

**Closing of School at Magherahamlet, County Down.**

CAPTAIN CRAIG (Down, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the reasons which have prompted the Commissioners of National Education in Ireland to close the Church of Ireland

national school, Magherahamlet, Ballynahinch, county Down.

(*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that on the resignation of the late teacher grants were withdrawn from this school, which had an average attendance of only nineteen pupils, under the provisions of Rule 179 (c), as, in view of the educational facilities afforded by other schools in the locality, it was no longer required. There are two national schools under Protestant management within a distance of two miles of this school, and the pupils formerly on its rolls can conveniently attend one or the other of these schools.

#### War Office—Duties of Assistant Financial Secretary.

MR. ASHTON (Bedfordshire, Luton): To ask the Secretary of State for War whether, in defining the duties of the Assistant Financial Secretary in the necessary Order in Council, there will be included the duty of advising the administrative officers at the War Office and in commands on all questions of Army expenditure, as included in the Order in Council of the 10th August, 1904, among the duties of the Director of Army Finance and Accounting Officer to the War Office.

(*Answered by Mr. Secretary Haldane.*) The reply is in the affirmative.

#### Loans for Unemployed.

MR. LAURENCE HARDY (Kent, Ashford): To ask the Prime Minister whether he can give an undertaking that the debate on unemployment will not take place until the returns which have been prepared with regard to local loans and special loans for unemployed, and which he promised to the House, have been circulated amongst Members of the House.

(*Answered by Mr. Asquith.*) It is evident that the debate which has been fixed for Monday cannot be postponed. A statement relative to loans sanctioned by the Local Government Board, or with respect to which application for sanction has been made to them, will be laid upon the Table to-day, and every effort will be made to get it circulated by Monday.

#### Decay of the Hop Industry.

MR. LAURENCE HARDY: To ask the Prime Minister whether he is aware that, partly owing to the condition of the hop industry, so fully explained to the Government in the evidence before the Hop Committee recently published, and partly owing to despair on the part of the growers, large areas of hops are daily being grubbed, and in consequence many labourers thrown out of employment; and whether, in his proposals to deal with the special problem of unemployment during this winter, he has given special attention to this portion of the problem, namely, unemployment in the rural districts.

(*Answered by Mr. John Burns.*) The Prime Minister has asked me to reply to this Question. I am aware that the Select Committee reported that the acreage of land under hops in England had been reduced during the last twenty years by about one-third, the Home produce of hops, however, continuing nearly the same owing to the increased yield per acre. I can assure the hon. Member that all aspects of the unemployed problem have received the attention of the Government.

#### LICENSING BILL

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 10:

\*MR. JAMES HOPE (Sheffield, Central) moved to omit subsection 1 of the clause, in order to raise the whole question of compensation. He said he should like to see substituted for the plan proposed in the Bill the compensation paid under the 1904 Act, which provided—

“(1) Where Quarter Sessions refuse the renewal of an existing on-licence under this Act, a sum equal to the difference between the value of the licensed premises (calculated as if the licence were subject to the same conditions of renewal as were applicable immediately before the passing of this Bill, and including in that value the amount of any depreciation of trade fixtures arising by reason of the refusal to renew the licence, and the value which those premises would bear if they were not licensed premises,

be paid as compensation to the persons interested in the licensed premises."

He hoped that the Government would meet the Amendment with a request that he would say what provisions he would substitute supposing the Amendment were carried. No doubt it would involve a considerable re-lifting of the Bill. He wished to see the debate on the broad lines of compensation under the existing system and that under the plan proposed in the Bill. When the words in the Bill of 1904 came to be considered they were interpreted by the Inland Revenue to mean a twenty-five years purchase which was practically the same as the "annual value" of the licence as defined in this Bill, and finally there came what was known as the Kennedy judgment. The point of that judgment was the rejection of the contention of the Inland Revenue and the substitution for it of the difference between the market value of premises licensed and premises unlicensed. Mr. Justice Kennedy laid down that—

"The tribunal has to assess the amount of compensation by finding the price of the licensed premises in the open market. . . . and deducting the price which the premises would fetch in the open market if unlicensed."

He went on to say—

"What is the object of our inquiry? I cannot do better than adopt the language of the interesting Memorandum of Sir Henry Primrose, the Chairman of the Board of Inland Revenue. It is to find the price which the owner of the freehold of the premises might expect to obtain for them *qua* premises enjoying the privileges of a licence, if sold in the open market."

Upon finding that price and taking the difference, compensation was to be awarded. It was constantly argued that that judgment was wrong and that the present Bill would restore the position that the Inland Revenue had maintained. That could not hold water for one moment. The Inland Revenue would give twenty-five years purchase. This Bill would give ten and a half years at most. The new proposals of the Prime Minister did not, he thought, affect the compensation at all. He would like to be clear on the point. The proposal of the Bill was that the reduction period stood at fourteen years, and a new proposal had been made that there should be a further period of seven

years, during which the monopoly value should not be charged, although the licensed house might be dealt with at the discretion of the magistrate or by local option. He must not take it, so he understood, that the reduction period extended beyond fourteen years. Under the contention of the Inland Revenue, which the Kennedy judgment disallowed, twenty-five years would have been allowed on the annual value of the assessment, but under this scheme of fourteen years the average would work out only at five and three-quarter years purchase. There was to be no reduction and no compensation in the first year of the reduction period, so that the first compensation paid would be taken at a thirteen years annuity at 4 per cent., and that would work out at some ten years purchase. As the term went on the number of years purchase became less. But taking the average, and supposing the rate of reduction was the same, the period would work out at five and three-quarter years as against twenty-five years, which would have been the case under the Inland Revenue contention before the Kennedy judgment. Even if the Kennedy judgment were wrong, still under the former conditions the licence-holders would have been four or five times better off than under the present Bill. However, the Kennedy judgment was the law, and he ventured to say that it was based on perfectly fair and equitable principles. When it was sought to acquire in the public interest any rights of a valuable consideration, he submitted that the only fair thing to do in the case of compensation was to take the market value. The difference was enormous between the compensation now being paid and the compensation which would be paid under the operation of the Bill. He would take the case of one house, and if the names connected with it were desired they would no doubt be given privately by those who put them forward. It was the case of a beer-house in a town in Essex. The amount of compensation awarded to owners was £1,415, but under this Bill, owing to the improvements in site, the value without the licence was actually greater than with the licence, and therefore no compensation would be taken at all. In another house in the

East-end of London, the amount of compensation awarded to owners was £2,200. The amount of compensation that would be awarded under the present Bill was arrived at as follows:—The assessment of the premises as licensed was £45, the estimated assessment unlicensed, £35. The difference to be capitalised amounted only to £10, and therefore, if it were capitalised in the second year it would work out at £100 compensation, as against the £2,200 which it actually obtained under the present Act. Other examples might be taken where there was a much higher difference between the licensed and the unlicensed assessment. He would take a house in the middle of London, where on the same principle the amount of compensation awarded was £4,652, the difference which had to be capitalised amounted to £55, and the most that could be got in that case would be £550. The more a man paid under this scheme the less he would get, and all this time he would be paying a compensation levy. The nearer he came to the end of the reduction period the less compensation he would get; if his house was closed in the last year he would get a mere fractional compensation, but every year he would be paying his levy. On that ground alone, he thought if they looked to the reduction period there was no kind of fairness. If a man lost his licence in the last year of the reduction period he would get a very small fraction of its market value. This, he thought, would induce the licence-holders to try to get their licences taken away as soon as possible, and, although they might take care to keep within the law, it was a distinct temptation to them to use every means in their power, not to be able to carry on their business during those years, but to get compensation at the earliest possible period, and thereby

so far as they could, the benefit money which they would then and which they would lose had to wait until the end of the

The result of these provisions was to put all the licence-holders in the position of leaseholders in that would expire at the end of ten years. At present they were in what he might call a permanent subject to good behaviour. That,

James Hope.

of course, was always the position, even before the 1904 Act, of the old beer-houses, and since that Act it had been the position of both classes of houses. They would be also subject to special taxation all the time. The injustice of the position had only to be stated to appeal to any fair-minded man. He called attention to one peculiarity of the drafting of this section. It began by saying—

“Where compensation is payable in respect of the extinction of an old on-licence, the amount payable shall be determined by the Commissioners of Inland Revenue.”

It went on to say that—

“The actual licence-holders, apart from the owners, may have certain compensation.”

This provision would work out very curiously in certain instances where, owing to the advancement of site value, the unlicensed value was greater than the licensed value. In those cases no compensation would be payable and nothing would go to the actual managers of the premises. He favoured the suggestion that the draughtsman should be allowed occasionally to give his own explanation to the House. The draughtsman was an exceedingly able and painstaking man, and the result of this clause, he thought, could only be attributed to the fact that he had been harassed by the vacillating purposes or intentions of the Government. He might be told that, arguing on the results of compensation on the basis of the assessments under Schedule A, the assessments were far too low. There were enormous variations in assessments in different parts of the country, and they were often made on no very consistent or uniform plan; but even admitting they were too low, why did the Government take as a basis for compensation a standard which they knew to be wrong? If the assessments were too low why did they adopt them? He thought the answer was that in order to suit their purposes in this Bill they deliberately adopted a standard as a basis of compensation which they knew was not a fair one for the purpose. He would ask the Committee to come back to the only true and fair basis of compensation, which was not an arbitrary assessment, not a hard and fast rule, but a consideration of actual value, as it could only be determined by



conditions of the market at the time. Last week he ventured to accuse hon. Members opposite of the Manichean theory; he accused them to-day of Lollardism. As he understood Lollard doctrine it was that unless a man was in possession he had no rights of property. hon. Members opposite had no right to say to a licence-holder, who perhaps was out of grace, any right which other citizens enjoyed. When other citizens had their property taken away for the purpose of public improvements the property was fairly valued, and 10 per cent. additional allowed. In this case the amount allowed was only about one-eighth of the fair market value. Although hon. Members opposite might dislike the licensed trade because they believed it was dangerous and liable to abuse, that was no reason why they could not treat those engaged in it, so long as they kept the law, on exactly the same basis as other citizens. It was in order to establish a fair scale of compensation that he moved the Amendment.

#### Amendment proposed—

"In page 6, line 14, to leave out subsection 1)." —(*Mr. James Hope.*)

Question proposed, "That lines 14 and 15 stand part of the Clause."

\***MR. CHARLES ROBERTS** (Lincoln) said he wanted to recall what hon. Members opposite had said in reference to the somewhat difficult and complicated subject of compensation. The mover of the Amendment had told the Committee that the Kennedy judgment gave the fair and natural basis on which compensation should be computed. His first point about that was that he did not believe that that judgment expressed what was intended by the authors of the Act of 1904 as the natural basis for compensation. What they intended was to give compensation on a property basis simply to those who were interested in the premises. Even the tenant was given compensation on that basis, but he was not given any compensation for the loss of his profits. He thought it was plain from the language which the authors of the Act used that they did not intend to give compensation for

the loss of wholesale trade profits. He would give some illustrations of this. The then Home Secretary explained that—

"Compensation was given in respect of licences, not on the loss of business profits but on depreciation of the premises arising from the fact that the extinction of the licence prevented the house from being used for the purpose for which it was most adapted."

The then Solicitor-General said—

"What was estimated was the depreciation of property, and that was the whole basis and foundation of the Bill. It was said that the bulk of the compensation would go to the owners, who in many cases were brewers. He totally and absolutely denied it."

It was obvious, however, on the figures, that only 11 per cent. had gone to the tenants on the average, and as a matter of fact, in many individual cases the tenant had had to put up with a £10 or a £5 note. The compensation which the tenant had actually got had been illogical in origin and capricious in amount, the standard had been anything but uniform, and the bulk of the compensation had gone where the then Solicitor-General said it would not go. He would take this statement of the case made by Mr. Cripps, the author of the standard book on compensation, in the House of Commons during the debates of 1904. He said—

"It had been argued that when licensed premises were taken for the purpose of public improvements two kinds of compensation were in force. There was a trading compensation and a compensation for a diminution in the value of the premises themselves. As a rule the trade compensation was the larger figure of the two. But in this Bill there was no trade compensation of any kind. They were looking at the difference in the value of the premises as licensed or unlicensed, and this did not bring into consideration what was known as trade compensation at all."

Taking together those three quotations, it was plain that the judgment of Mr. Justice Kennedy was not intended by the authors of the Act, though the hon. Member for the Central division of Sheffield thought it was only natural.

**MR. JAMES HOPE:** My argument was based on the contention of the Inland Revenue prior to the Kennedy judgment. Would the hon. Gentleman accept that as fair, namely, twenty-five years purchase?

\*MR. CHARLES ROBERTS thought that the fact that the Kennedy judgment was not foreseen by the Inland Revenue strengthened his contention that that was not the original intention of the Act. As the Committee knew, the Inland Revenue tried to establish a basis which was different from the Kennedy judgment, and personally he thought the basis which was adopted, or attempted to be adopted, by the Inland Revenue was not really so satisfactory as the present scheme of the Bill. What were the real objections to the Kennedy judgment as they found it in actual practice? He thought they would find all over the country the greatest possible dissatisfaction with it on the part of compensation authorities. The compensation authority to which he belonged, estimating the amount which would have been payable before that judgment and directly afterwards in the case of the same houses, found a difference of at least 50 per cent. It raised the compensation payable by at least that amount and sometimes more. The licensing committee of the Liverpool justices found exactly the same experience—the compensation payable was double, and the actual reduction of licences cut down by one-half. Of course, if it was fair there was nothing more to be said; but was it fair? As a matter of fact, the authority to which he belonged, while administering that judgment on a conservative basis, not trying to evade the law, and at the same time trying to act fairly, found in actual practice that it worked out at prices which would not be paid in the market—not likely to be paid even in the time of boom prices. He believed the Kennedy judgment was based on the practice of trade valuers in the boom times. It was not justified at the present time by the actual state of the market.

\*CAPTAIN FABER (Hampshire, Andover): Will the hon. Gentleman allow me to say they go on the present figures and not on the trade boom figures in my county?

\*MR. CHARLES ROBERTS said that his own local experience did not agree. Lancashire had practically thrown over the Kennedy judgment. The hon. Member for Aberdeenshire in his breezy way had

said the whole thing was a swindle, but one of the newspapers evidently thought that was too "breezy" an expression to be Parliamentary, and described it as an inequitable arrangement. Well, he knew that in Lancashire they found the prices they offered accepted after throwing over the Kennedy judgment. The authorities never really knew whether they were being "had" or not in this matter. The compensation authorities in administering this fund with fairness to both sides had to give roughly 10s. per barrel, but how was the authority to know that that amount of profit was made? Certainly it was not universally made; although there might be a rise in the price of raw materials, the sum would still in practice be maintained at 10s. He would take the case of the houses just on the margin of existence. What would happen? They would put in a tenant who knew how to work up the trade by the "long pull," and various other customs and methods, and the barrellage might increase, though the profits would suffer. In its essence it was utterly unfair. Under the 1904 Act compensation was not paid for the retail profits of the publican, though he lost them, and could not take away his business to other premises. In the case of the brewer they did pay wholesale profits though he could make them in another house, possibly close by. In the case of the "Crown Inn," Cobham, compensation was based on the wholesale profits made in that house, and it was stated in evidence that there were two houses close by belonging to the same firm of brewers. The amount paid in that case was £1,497, and the greater part of it represented brewery profits, although a large portion of the trade was probably not lost by the brewers in question. The hon. Member who spoke last had given cases of how this system of compensation would work inequitably. He stated that it worked out at only one-eighth of the present scale. One of the things he noticed was that the trade critics of this scheme never agreed amongst themselves as to how the actual scale would work out. The brief of the liquor trade which was supplied to hon. Members put it at one-third. Others at a fourth, or a fifth, but the hon. Member put it at one-eighth. He asked the Committee to realise that

one fallacy ran through the hon. Gentleman's statement of the case. The hon. Gentleman had taken in every instance the existing Schedule A for income-tax; but under this Bill they were going to have the real Schedule A. He would be exceedingly glad if the hon. Gentleman would furnish him with the names and the full calculations in the cases which he had presented to the committee, because he had always made a real attempt to try and understand the definite argument put before the country in the Press and elsewhere by the trade. The hon. Gentleman would himself admit that there existed a great deal of under-assessment in the country, but the actual amount had yet to be ascertained. Let him take one or two instances. In the case of the "Crown Inn," Cobham, which was the subject of Mr. Justice Kennedy's judgment, the compensation was £1,479 10s., with £300 for site and structure; or a total of nearly £1,800. The income-tax assessment under Schedule A was only £19 10s. He did not think the Committee realised how far the robbery had gone. Did the hon. Member really say that the only fair and natural basis for compensation was a basis which worked out at ninety-two years purchase of the assessable value?

MR. JAMES HOPE: That depends upon the profits.

\*MR. CHARLES ROBERTS said he would take another case, their old friend, the "Coach and Horses," Portsmouth. They knew its value was £10,000. It was paying rates on a gross assessment of £144, and a net assessment of £120. Did hon. Members opposite think that a fair assessment?

LORD R. CECIL (Marylebone, E.): Certainly.

\*MR. CHARLES ROBERTS said that in that case the hon. Member did not agree with the ordinary practice of the London Assessment Committees, which in such a case would be to take half the licence value for the purpose of assessment. The "Coach and Horses" was valued at £7,500 for the licence, and £2,500 for the site and structure. The right assessment, according to the ordinary practice

of the London Assessment Committee, would be £312 instead of £120 made up thus: they would take the value of site and structure £2,500 and half the licensed value £3,750, or a total of £6,250, as the capital value to be assessed at 5 per cent. This worked out at £312. That was not an exaggeration, because two of the greatest living authorities on rating said that the Assessment Committees ought to take two-thirds of the licence-value instead of one-half, which latter figure they said was unfair. He had a return of fifty-six premises in London which had lost their licences under the Compensation Act, with the new valuation which had been made of the premises in use for other purposes. The compensation awarded in these fifty-six cases, the new rateable value of which was £1,765, was £134,000 odd. Taking the ordinary practice, that half the compensation awarded should be taken for the purpose of rating, the value of these fifty-six licences for rating purposes should be taken at £67,200, or an annual value, at 5 per cent., of £3,360, to which must be added the present rateable value of £1,765, giving a total of £5,125. They were actually rated at £3,169, so that there was a loss of rateable value there of £2,000, or 40 per cent. Assuming that the rest of the licensed premises in London were 40 per cent. under-assessed, that meant a loss to the rates of £322,000.

SIR F. BANBURY (City of London): That is the fault of the assessment committees.

\*MR. CHARLES ROBERTS said he was quite certain that the under-assessment in the provinces was considerably more, and the loss from this cause must amount at least to £900,000, so that the total under-assessment, involved a total annual loss to the rates of the country, of at least £1,200,000. But, further, this assessable value was the basis, not merely for rates but also for taxation, the licence duty, and everything else. All the difficulties in this matter arose from the fact that the licence value included all kinds of different elements of value which they wanted to get separated, and, he believed, if they once got clearly in their minds

what were these different elements of value, it would be seen that the scheme in the Bill was a fair and just one. The licence—value consisted (1) of the value of the site and structure; (2) the monopoly value attached to the premises because of the licence; (3) the retail profit of the tenant, and (4) the brewer's wholesale profit. For the purpose of rating, what they wanted to get at was the value of the land and buildings as increased by the fact that the premises had a licence attached to them. That they did not get at the present time; that they would get as an indirect result of the working of this clause. The Bill gave an opportunity to the owners of licensed premises to reassess their properties, and he thought they would be well advised to take that opportunity. And when it came to compensation, what they wanted to get at was fair compensation, first, for the loss of the monopoly value due to the licence, and, secondly, the loss of the tenant's trade profits. That was what this clause did. He believed the more the Committee investigated the clause the more they would see that it cleared away all the practical difficulties, all the intricacies, and all the unfairnesses of the Kennedy judgment, and that it had put the compensation on a really fair and just basis.

\*MR. BARNARD (Kidderminster) said that the speech of the hon. Member who had just sat down showed how essential it was that they should have soon a Government Valuation Bill in order to clear away present difficulties. He failed to see why complaints should be made against a publican or any other ratepayer in the country because he did not get his house rated on a higher basis than the one on which it was rated. The complaint should be on the other leg. He would remind the Committee, when, for instance, complaint was made with regard to the rating of the "Coach and Horses," that the Government were ratepayers in Portsmouth; and if there was anything wrong in the rating of that house they could have very well intervened and have asked that it should be put on a proper basis. He came to the point of what the compensation authorities were doing in this country. His experience

was not the same as that of the hon. Member for Lincoln; and he had been this week taking part in an annual meeting. What did they do? They had nothing to do with the boom in prices or what people paid for the premises. They had to find what the man inside the house was paying for beer and other commodities, and then they had to find how much he could buy the beer at from somebody else, if he were not "tied." If a man was paying 36s. for beer to the brewer to whom he was "tied," and he could buy beer in the market of similar grade and standard from somebody else at 26s., it was obvious that the person concerned had to deduct 26s. from 36s., and the difference represented the price which was being paid for the house, and that was, he thought, the basis of fair compensation. He came to the celebrated Kennedy judgment. He was very glad to hear, and he welcomed the remark of the hon. Member for Lincoln when he asked if it was fair. Fairness was what some of them were trying to achieve, quite as much as some of his hon. friends who represented temperance. He did not think the question of the Kennedy judgment was in the minds of the Members in the House when they debated the Act of 1904, but he had nothing to do with that. He accepted Mr. Cripps' definition of what compensation was. But the hon. Member for Lincoln, after discussing it, stopped short of wholesale profits. He would have been glad if he had given them the value of his research, in comparing the compensation of the present Bill with the compensation of the 1904 Act. They did not compare in the slightest degree in this respect. Under the 1904 Act there was nothing to do with the monopoly value. The 1904 Act undoubtedly, in extinguishing houses, left the opportunity to the brewers with regard to other houses to get a good share of the trade of the suppressed houses. One could not put forward a comparison of that description in regard to this Bill, when the monopoly value of the suppressed houses went, according to the Bill, to the public exchequer. He put it to the Committee, whether that consideration did not altogether alter the state of affairs. That brought him

*Mr. Charles Roberts.*



directly to this question of compensation. He had often heard it said in the House, that if the trade paid, it was pretty immaterial, and could not seriously matter what the amount of compensation was. If that was the case why, it was asked, should there be such a discussion amongst those who did not take the trade view? If the trade expressed its own opinions as to what was the most convenient, legitimate, and easy method, why not attach such compensation to the Bill? He would take one illustration from many which would serve his purpose. Yesterday they were discussing the question of Welsh local option—he would not refer to the point beyond an illustration: if that local option came into force at once, and if the position of affairs was as an eloquent Member put it in his speech last night, what would happen? The Welsh people would be draining this national fund, which the people in England would be paying and they would be getting an enormous advantage. On the question of compensation, as a whole, he understood it to mean that they gave the compensation to a person for the value that they took from him. The things which were bought and sold in the open market, things which undoubtedly commanded a price, to the ordinary thinking mind were matters which well came within the definition of compensation. Let him give three examples: one would be from the very near past, another from the present; and the third from the future. The past illustration he would take was the Water Board, the present the Government Dock Bill, and the future the electricity proposals of last Monday night. What happened before the Water Board was created? They had Lord Cross and his Committee, Lord Llandaff's and Lord Balfour of Burleigh's Commissions, and the London County Council proposals on the Welsh scheme, and what not. They had other things to which he need not allude. What did all that amount to? It amounted to this, that the water companies had had fair warning, and that they well knew what might be expected, and that the public eye was upon them. And yet what occurred? They went to a court—a court created by this House, and consisting of eminent

men, who decided that London was to pay to the water companies £47,000,000 sterling to buy them up. It also decided that the directors should receive something like £220,000, because their position was got rid of. He was not finding any great fault about it except this, that, as chairman of the Board, he was troubled enough to obtain the money to pay the interest on the £47,000,000 to-day. But it was recognised that what the companies were to receive was the value of the income which they could show they earned with the usual multiplier of years applied to it. Then as to the Dock Bill he crossed swords with the Government who were proposing it. In a respectful way he approved of the measure, but they proposed to pay to the dock companies an income undoubtedly of a generous and lavish description. Why? Because in the public interest they thought it desirable that they should get out of the way this impediment to the improvement of the Port of London. Lastly, the electricity proposals which they had had before the House that week. What occurred? It was proposed that the company should have granted to it some rights to trade, and at the same time a time-limit—he wished that some time-limit were in this Bill—was granted to the electricity people under the Bill. That brought him to this provision, and he could not see why they should not, in this clause, endeavour to give such compensation as represented the situation, and try and compensate as far as possible all the existing interests. It could not be denied that when they reached the end of the twenty-one years, or came to the fourteenth year, under that monopoly value the position of the owners of the houses would be ever so much worse, and they would not be able to charge—he did not debate whether they should or should not—the same sum of money which they previously could in connection with the distribution of their commodities. With regard to the security of the tenant, he was very pleased to read in the newspapers that the Government were making some modification in that direction. It appeared to him that they had a right to ask that they should adopt previous custom in this respect. He had mentioned

the Water Companies' directors and the Dock Bill, in regard to which it was proposed to give the directors compensation. If they could in every other department of life of the ordinary man, whose living was taken away, give to him, at any rate, a direct compensation as far as possible on business lines, they should do so here. In the case of these tenants they took away their usual occupation. If 30,000 of the tenants, out of 95,000, were got rid of they would not have the opportunity of renewing their occupation under the same conditions. He was, therefore, personally very glad that it should be provided that at any rate they should have one year's certain compensation to themselves. He recognised that it might be that a man had only been in a house for a few months, and, therefore, it would not be reasonable to give him more, but he should like to have a statement from the Government as to what would be the position of and control over these Commissioners. Would they be amenable to Parliament? Would they be amenable to something which was put into this Bill? Would they be a statutory body, or under whose control would they be? If it were provided by the clause, which he should welcome, that the tenant was to have not less than one year's compensation he should like to hear from the Government that their meaning was that the Commissioners should exercise a sympathetic and generous attitude towards the tenant who had been in business for many years and who had been injured. His last point had reference to a class as to whom he had put Amendments on the Paper, which he supposed would never be reached, like those of many other Members. He had tried to draw attention to the effect of the Bill on the home-brew houses. There were not many home-brew houses, but he noticed that at the end of this section they gave protection to fixtures. After all, the old publican who brewed his own beer and had a racketty plant, and from whom was taken away under this Bill a licence to sell the beer, was not in the position of the big brewer, because his plant was left on his hands as a lot of scrap iron, and the value of it would be taken away. He thought under these circumstances it was not

an attack upon the scheme of the Bill and did not interfere with any principle, to ask if the Government could not extend some consideration to these little men, and, either by an addition to the word "fixtures," or in some other way, meet their case so that they would receive adequate compensation to meet their special circumstances. In his constituency there were no less than sixty-three men who had public-house licences brewing their beer. Under a schedule of the Bill 120 licences would be reduced to about fifty, and the result would be to impose upon these little men something which he did not think the Government meant, and which he thought the Temperance Party in the House did not desire, because the position did not touch any of the general principles of the Bill. For these reasons he ventured to put forward these latter questions to the Government, who he hoped would see their way to alter or modify in some form the method of compensation put forward in this Bill.

\*MR. SHERWELL (Huddersfield) said that it was almost inevitable that the argument in connection with this Amendment should turn on the interpretation of what was market value. He sympathised with the plea that if the principle of compensation was to be recognised in a statute the basis of that compensation should be strictly fair and just. It was only in the extension that hon. Members gave to what they called market value that he found himself in serious disagreement with them. When the definition came to be expanded it always turned on an endorsement of what had become known as the Kennedy judgment. His first objection to the acceptance of that judgment was that it appeared to violate the express intention of the framers of the Act of 1904, which that judgment was supposed to have interpreted. The principle underlying the compensation provisions of that Act was that compensation was to be given on the assumption that the Act had not passed, or, in the words suggested by the present Lord Chancellor, as if the licence were liable in respect of renewal to all the contingencies to which it was liable prior to the passing of the Act. As he read

*Mr. Barnard.*

directly to this question of compensation. He had often heard it said in the House, that if the trade paid, it was pretty immaterial, and could not seriously matter what the amount of compensation was. If that was the case why, it was asked, should there be such a discussion amongst those who did not take the trade view? If the trade expressed its own opinions as to what was the most convenient, legitimate, and easy method, why not attach such compensation to the Bill? He would take one illustration from many which would serve his purpose. Yesterday they were discussing the question of Welsh local option—he would not refer to the point beyond an illustration: if that local option came into force at once, and if the position of affairs was as an eloquent Member put it in his speech last night, what would happen? The Welsh people would be draining this national fund, which the people in England would be paying and they would be getting an enormous advantage. On the question of compensation, as a whole, he understood it to mean that they gave the compensation to a person for the value that they took from him. The things which were bought and sold in the open market, things which undoubtedly commanded a price, to the ordinary thinking mind were matters which well came within the definition of compensation. Let him give three examples: one would be from the very near past, another from the present; and the third from the future. The past illustration he would take was the Water Board, the present the Government Dock Bill, and the future the electricity proposals of last Monday night. What happened before the Water Board was created? They had Lord Cross and his Committee, Lord Llandaff's and Lord Balfour of Burleigh's Commissions, and the London County Council proposals on the Welsh scheme, and what not. They had other things to which he need not allude. What did all that amount to? It amounted to this, that the water companies had had fair warning, and that they well knew what might be expected, and that the public eye was upon them. And yet what occurred? They went to a court—a court created by this House, and consisting of eminent

men, who decided that London was to pay to the water companies £47,000,000 sterling to buy them up. It also decided that the directors should receive something like £220,000, because their position was got rid of. He was not finding any great fault about it except this, that, as chairman of the Board, he was troubled enough to obtain the money to pay the interest on the £47,000,000 to-day. But it was recognised that what the companies were to receive was the value of the income which they could show they earned with the usual multiplier of years applied to it. Then as to the Dock Bill he crossed swords with the Government who were proposing it. In a respectful way he approved of the measure, but they proposed to pay to the dock companies an income undoubtedly of a generous and lavish description. Why? Because in the public interest they thought it desirable that they should get out of the way this impediment to the improvement of the Port of London. Lastly, the electricity proposals which they had had before the House that week. What occurred? It was proposed that the company should have granted to it some rights to trade, and at the same time a time-limit—he wished that some time-limit were in this Bill—was granted to the electricity people under the Bill. That brought him to this provision, and he could not see why they should not, in this clause, endeavour to give such compensation as represented the situation, and try and compensate as far as possible all the existing interests. It could not be denied that when they reached the end of the twenty-one years, or came to the fourteenth year, under that monopoly value the position of the owners of the houses would be ever so much worse, and they would not be able to charge—he did not debate whether they should or should not—the same sum of money which they previously could in connection with the distribution of their commodities. With regard to the security of the tenant, he was very pleased to read in the newspapers that the Government were making some modification in that direction. It appeared to him that they had a right to ask that they should adopt previous custom in this respect. He had mentioned

the Water Companies' directors and the Dock Bill, in regard to which it was proposed to give the directors compensation. If they could in every other department of life of the ordinary man, whose living was taken away, give to him, at any rate, a direct compensation as far as possible on business lines, they should do so here. In the case of these tenants they took away their usual occupation. If 30,000 of the tenants, out of 95,000, were got rid of they would not have the opportunity of renewing their occupation under the same conditions. He was, therefore, personally very glad that it should be provided that at any rate they should have one year's certain compensation to themselves. He recognised that it might be that a man had only been in a house for a few months, and, therefore, it would not be reasonable to give him more, but he should like to have a statement from the Government as to what would be the position of and control over these Commissioners. Would they be amenable to Parliament? Would they be amenable to something which was put into this Bill? Would they be a statutory body, or under whose control would they be? If it were provided by the clause, which he should welcome, that the tenant was to have not less than one year's compensation he should like to hear from the Government that their meaning was that the Commissioners should exercise a sympathetic and generous attitude towards the tenant who had been in business for many years and who had been injured. His last point had reference to a class as to whom he had put Amendments on the Paper, which he supposed would never be reached, like those of many other Members. He had tried to draw attention to the effect of the Bill on the home-brew houses. There were not many home-brew houses, but he noticed that at the end of this section they gave protection to fixtures. After all, the old publican who brewed his own beer and had a racketty plant, and from whom was taken away under this Bill a licence to sell the beer, was not in the position of the big brewer, because his plant was left on his hands as a lot of scrap iron, and the value of it would be taken away. He thought under these circumstances it was not

*Mr. Barnard.*

an attack upon the scheme of the Bill, and did not interfere with any principle, to ask if the Government could not extend some consideration to these little men, and, either by an addition to the word "fixtures," or in some other way, meet their case so that they would receive adequate compensation to meet their special circumstances. In his constituency there were no less than sixty-three men who had public-house licences brewing their beer. Under a schedule of the Bill 120 licences would be reduced to about fifty, and the result would be to impose upon these little men something which he did not think the Government meant, and which he thought the Temperance Party in the House did not desire, because the position did not touch any of the general principles of the Bill. For these reasons he ventured to put forward these latter questions to the Government, who he hoped would see their way to alter or modify in some form the method of compensation put forward in this Bill.

\*MR. SHERWELL (Huddersfield) said that it was almost inevitable that the argument in connection with this Amendment should turn on the interpretation of what was market value. He sympathised with the plea that if the principle of compensation was to be recognised in a statute the basis of that compensation should be strictly fair and just. It was only in the extension that hon. Members gave to what they called market value that he found himself in serious disagreement with them. When the definition came to be expanded it always turned on an endorsement of what had become known as the Kennedy judgment. His first objection to the acceptance of that judgment was that it appeared to violate the express intention of the framers of the Act of 1904, which that judgment was supposed to have interpreted. The principle underlying the compensation provisions of that Act was that compensation was to be given on the assumption that the Act had not passed, or, in the words suggested by the present Lord Chancellor, as if the licence were liable in respect of renewal to all the contingencies to which it was liable prior to the passing of the Act. As he read



the Kennedy judgment that clear and explicit intention of the Parliament of 1904 received altogether inadequate consideration. This was apparent in the distinction laid down in that judgment between the ordinary public-house and the ante-1869 beer-house. The ante-1869 beer-house had a statutory right to renewal, and therefore stood in a far stronger position as regards security of tenure than a fully-licensed house prior to 1904. Yet in Mr. Justice Kennedy's judgment only one year's extra profits were sanctioned in the case of the beer-house. Another consideration which prevented him from accepting the Kennedy judgment as a satisfactory basis of compensation was that it did not take into account the actual character of the licence. The central factor in the judgment was the brewer's and not the retailer's profits. He admitted that in the internal administration of the drink traffic in recent years the statutory distinction between the brewer and the retailer had been largely lost sight of. But, after all, the retailer's business or profit was one thing and the brewer's business or profit was another, and no basis of compensation could be satisfactory which did not observe the explicit distinction between the two. But his most serious objection to the judgment was that it recognised compensation for enhanced value resulting from the reduction of competition in the trade itself. He could not sanction the idea that when such enhancement took place as the clear result of State action the licensees of the remaining premises should receive additional compensation. Even the Government proposal did not get rid of that defect. Under the clause as it now stood every licence-holder would get compensation on the basis of the enhanced value of his licence resulting from reduced competition. Indeed the evil instead of being removed was actually intensified, because the Bill accelerated the rate of reduction and by so much accelerated the rate of enhancement of value. It might be urged that the surviving licensees paid for their enhanced value in the compensation levies, but if so, what became of the familiar plea that those levies were really

insurance premiums paid for security of tenure during the reduction period? They could not have it both ways: either the compensation levy was to be the equivalent for the enhanced value accruing from State action or it was an insurance premium pure and simple. It could not be both. He invited hon. Members opposite to choose which horn of the dilemma they would elect to be impaled upon. The plea was a strange one in view of the great inequalities of incidence in the burden of the compensation levies imposed. Obviously, the largest and most prosperous houses were to be found in London and the big cities, but under the schedule of the Bill a publican in London paid a levy at the rate of 9·7 per cent. of the annual rateable value of his premises, a publican in a city of over 500,000 inhabitants paid at the rate of 12·7 per cent., but in small urban districts of less than 5,000 population the compensation levy represented not 9·7 per cent. as was the case in London, but over 16 per cent. of the annual rateable value of the premises. He might be told that this was not so unfair as it seemed, because the poorer and smaller houses would be the first to be suppressed under the Act, but it was not a good argument to say that because a man was doomed to speedy extinction he should be called upon to pay more than a man to whom a long life was assured. The inversion of the law of equity could hardly be carried so far. It was clear that the intention of the framers of the Act of 1904 was that compensation value should not include any enhanced value that would result from the passing of the Act. The late Home Secretary, speaking in support of the Bill on 20th April, 1904, in this House, said—

"The next point we have to consider is the amount of compensation to be awarded to the licensee [not the owner or the brewer, but the licensee], and we have decided that the fair measure of compensation which ought to be afforded is the difference between the value of the licensed premises and the value of the premises without a licence. Of course, that will be calculated as if the Act had not been passed."

The right hon. Gentleman defended that by a reference to the Majority Report of the Royal Commission. The matter was put in an equally clear form by the right

would take the amount for which the property was assessed to income-tax, and then he imagined they would multiply that by so many years purchase—say twenty-five years purchase.

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY** (Mr. ASQUITH, Fifehire, E.): Does the hon. Member assume that it is a freehold?

\*MR. G. D. FABER said he was assuming it for the purpose of his argument, and he multiplied the sum at which it was assessed by twenty-five years purchase. The Prime Minister said that in that way they would arrive at the true value. But if he might give a case, he thought that they would see at once that by that method they could by no possibility arrive at the true value, because they were eliminating the profits on the trade of the house. He could not cite a better instance than that of the celebrated "Coach and Horses." It served as an illustration as well as any other instance which he could adduce. It would illustrate his argument in a concrete arithmetical manner. The reserve price put upon the "Coach and Horses" by the War Office, the then owners, was £10,000. The house was assessed to income-tax under Schedule A at £144 a year. If they multiplied that £144 by twenty five years purchase they arrive at the figure, not of £10,000, the reserved price fixed, but £3,600. This showed an actual deficiency of £6,400; so that the War Office had put the property at much too high a value if they took the Government's method of arriving at it. If every member of the Committee threshed this matter out he must agree with him that the method adopted by the Government brought out a figure which was absolutely under the fair and proper measure of value. Still pursuing his inquiry in regard to the "Coach and Horses," they found that £10,000 was the reserve price put upon the property by the Government as the proper value, and was the price actually paid for it. How had the War Office arrived at the sum of £10,000? They could not have arrived at it by proceeding upon the Government method, namely, assessment for income-tax purposes, and

*Mr. G. D. Faber.*

multiplying the assessed sum by so many years' purchase. The War Office must have proceeded on entirely different lines. They might up to a certain point have multiplied the sum assessed to income-tax by so many years' purchase, but they must have also taken into account the value of the premises for the purpose of trade, and this was how the difference was made up between the sum of £3,600 on the Government basis of calculation, and the £10,000 on the War Office method of ascertaining the value. The actual capitalised value of the trade done in the house meant in round figures the difference between £3,600 and £10,000, in other words £6,400. By that means and by that means only, had the War Office arrived at the reserve price of £10,000 which they had put upon the property.

MR. ASQUITH: The War Office were bound to adopt that valuation because of the Kennedy judgment.

\*MR. G. D. FABER: Surely the War Office were not bound to do anything of the kind. They were the owners of the property, and they could adopt any system of valuation they pleased. Why were they bound to follow the Kennedy judgment?

MR. ASQUITH: As a proposition of law.

\*MR. G. D. FABER said that surely the War Office were under no restriction or compulsion. All they had to do was to the best of their ability to arrive at the value of the "Coach and Horses." It might be that there was some flaw in his argument, but he could not see it. He thought that a great fallacy underlay the proposition contained in Clause 4. They were now eliminating from their calculation of the value any trade done in the house. It did not matter to him, for the purpose of his argument, whether it was the holder of the licence who was owner of the property, or whether it was a case of a tied house. The principle was the same whether it was the retail owner or whether it was the tenant plus the tie to the brewer. In assessing compensation under this clause, they

altogether the value of in the house. There was from that, as he understood. That was why to say the Act of 1904 needed judgment which was sound. All they had establish was the value of property in the open market. Government seemed to desire as part of the value of the bringing altogether the trade house. Some Members on had been impressed by the that criticism, because they avoid it by saying that the the Bill was perfectly sound at so many years' purchase Schedule A for the purpose of—and that it was no fault of of the licensed property if rent had been too low. But houses were assessed, whether or rates, by a public authority, need to him in no way to meet ment to say that because a house was assessed too low, the owner of the house perfectly compensation was assessed at so many years' purchase, and the amount an insufficient sum. Great and as the injustice was by taking measure of compensation adopted Bill, it became all the more when they considered that all the Government proposed to give an annuity for a certain number of years, based on this wholly unsound method of assessing the value. In the case of the "Coach and Horses," £10,000 had been given for the property; £7,500 established by competent valuers to be the value of the licence, and £2,500 to be the value of the bricks and mortar on the ground. The Government, assessing this annuity—the maximum annuity being for thirteen years—would do it in this way: The assessment for purposes of income-tax with the licence was £104; without the licence, £104, and, therefore, the sum they would give to the present owners of the "Coach and Horses" would be a principal sum, which would represent a thirteen years' annuity of £40. That, according to the table, would come to £400. The £2,500, representing the bricks and mortar and the ground, added to the £400, amounted to £2,900.

So in exchange for property sold only the other day by a great Government Department for £10,000, all the purchasers would get under this clause would be £2,900. As far as the compensation period was concerned, no doubt it was past argument and past praying for, now that the earlier clauses of the Bill had been carried. But what he hoped was not past argument, not past praying for, was that, at any rate in assessing the beggarly compensation for the compensation period, the House would proceed on a sound basis, and not on a wholly slippery and fallacious one. He could not understand how and why the Government could possibly have arrived at such an inequitable basis. It surely could not be that they desired to strip the owner of licensed property of almost everything for which he had paid full value. It could not be mere spite, mere animosity—he hoped not—against the owner of the property. Surely equity and fair dealing ought still to hold force, notwithstanding what the private opinions of members on the other side might be. He ventured to put it otherwise, and to think that in this case the Government without intention to inflict this irreparable injury on those interested in licensed houses, had innocently gone astray; had by mistake lost sight altogether of the vital factor of the case, viz., that the greater part of the value of a licensed house lay not in its assessed value for purposes of income-tax under Schedule A, but in the trade done in the house. The Government ought not to have it both ways. When extracting taxation from the licence-owner, they taxed him under two heads, under Schedule A and Schedule D; when assessing him for death-duties, they assessed him at the full market value of the property. Now, when they proposed to give him what they called compensation, they eliminated altogether the consideration of profits, and simply considered the bare assessment value of the property for income-tax purposes and nothing more.

\*MR. DICKINSON (St. Pancras, N.) said the hon. Member had made an eloquent appeal based upon the idea that all they had to consider on this occasion was—what was fair to the

public-house interest and to the public. Of course, that must always be an important consideration, but at the same time there was another consideration which they must bear in mind—that which arose from the peculiar condition of affairs in 1904. They were entitled to say that the Act of 1904 was the result of what was more or less a Parliamentary contract. The public-house trade had obtained a very important concession, security of tenure, which was most valuable to them, and in return for that they had obtained amongst other things these clauses which entitled them to compensation in the event of their being disturbed. The terms and conditions of that contract were very clearly discussed and set out in the debates in 1904, and at the risk even of repeating some of the observations of the hon. Member for Lincoln, he should like to call the attention of the House still further to what was actually said then, and what was the intention of the House. There could be no doubt that after those debates the public-house interests thoroughly understood what was the position then. They, of course, knew precisely the basis on which the Kennedy decision was arrived at. As Mr. Justice Kennedy then said, after pointing out that the price of the licence would ordinarily depend on brewers' competition—

“This will depend upon the amount of profit which the brewer owner can fairly be expected to make. The evidence must be of profit made ordinarily and normally in the brewing trade.”

There could be no doubt that that idea at any rate was not held by anyone in 1904, and especially was that the case if they looked at the observations of Mr. C. A. Cripps, whose knowledge of the law of arbitration, of course, was perfectly unique. There were one or two quotations from his speeches which were of importance. He said the Bill was not based on the principle of compensation for trade at all, otherwise the amount of compensation might be very large indeed, and the suppression of a large number of public-houses rendered practically impossible. That was precisely what had occurred under the Kennedy judgment. He said—

“Further, they could not have anything in the nature of compensation of a more moderate

*Mr. Dickinson.*

and restricted form than that in the Bill. In the Bill there was no trade compensation of any kind.”

Even if Mr. Cripps could not be quoted as speaking for the Government, they had a very important declaration by the right hon. Gentleman the Member for Dublin University, in which, when the hon. Member for Mansfield said if the matter went to arbitration the question would be left to the Commissioners of Inland Revenue, who based their valuation on the takings of the house, the right hon. Gentleman interrupted, and said—

“That is not so.”

It was perfectly clear that the valuation would not be based on the takings of the house, and he believed that view was accepted by the trade. The trade had several compensation cases tested before the Kennedy judgment, and they were at that moment satisfied with the decision of the Board of Inland Revenue and did not quarrel. When the Kennedy judgment was given no one was more surprised at the legal position than the representatives of the brewing interest. If that view had not been held in 1904, he ventured to think that these proposals would have been dismissed in a very summary way. If the Government had had to admit that the system of compensation would be, in the words of Mr. Cripps, “such as would render practically impossible any large reduction of public-houses,” he did not think the Government would have adhered to their clause. The decision of Lord Justice Kennedy had materially influenced the operations of the magistrates with regard to compensation. There was a case in Chelsea where there were three public-houses situated all together. Two of these were in the ownership of one firm of brewers and on closing one of them that firm might have full compensation on the basis of its wholesale profits, whereas it would probably continue to sell in the remaining house as much beer as it had hitherto sold in the two houses. Such cases rendered it extremely difficult for the magistrates to carry out the law. They had had two or three instances given with reference to the assessed value of public-houses upon which the compensation was to be based. He had taken the opportunity of looking into the question



of "The Crown," which was one of the public-houses that formed the subject matter of the Kennedy judgment. The compensation payable under the Bill in this case had been stated to be £52. He had, however, tested this figure by means of the information appearing in the report of the case. The assessed value was £23, and he was informed by one of the most eminent and experienced men in regard to assessments in London that it certainly ought to have been valued at £50. The result of that was that if they deducted from those two figures the value of the house which was unlicensed, which was given in the Kennedy judgment as being £18, taking the difference not between £18 and £23, but the difference between £18 and £50, instead of the compensation being £52, as stated in this House on the Second Reading of the Bill, the compensation would be £350, or three times the amount estimated. From that point of view, if the assessment was properly raised, as it should be, there could be little doubt that the displaced publican would see it was a fair compensation. The only point that remained was whether or not this raising of the assessment would take place. It had been pointed out to the Government that the Bill as at present drafted would not ensure this. He thought that so far, at any rate as concerned the particular clause which dealt with the assessment of London, that would have to be amended if they were to carry into effect the scheme of the Government—a scheme whereby the public-houses would be assessed up to their full value.

\*MR. YOUNGER (Ayr Burghs) said he was sure the Committee did not desire that any section of the community should be led to think that they could not obtain justice from the present House of Commons. The whole point of the opposition was that the scheme of compensation in this clause was one which in itself was not fair, just, or equitable to the interests which were being assailed by it, particularly having regard to the fact that the money to be provided for the compensation was provided by themselves and not by the State. They

had heard a great deal of the question of under-assessment of public-houses. He protested against the brewers being blamed for that; if there was a fault, he thought it lay entirely with Parliament. If they had been lax in not seeing that their valuation laws were good, it was the fault not of the brewers but of the Government. In Scotland the assessments in the main had for a long period been made by independent valuers from Somerset House, and it was a puzzle to him why that had not been done in England. He assured English hon. Members that if they had the chance of discussing a Licensing Bill for Scotland, which he hoped they would not have, they would not be able to say that the public-houses there were not assessed up to the full amount of their monopoly value. He agreed with the hon. Member for Kidderminster in saying that at all events if the brewers had submitted to under-assessment, as most people did, the Government had been equal sinners. They had submitted to the alleged under-assessment of the "Coach and Horses," and nobody heard that they went with their caps in their hands to ask for the valuation to be raised. The Royal Commission appointed on this question was more thorough in its proposals than the present Government. They began by saying that their scheme included in its operation all retail licences—that was, off-licences as well as on-licences—both as contributories to the compensation fund, and as liable to suppression, which they said appeared "both desirable and necessary for the working of the proposal." In discussing the question as to how compensation should be framed, they dealt with the question of basing it on annual value, and said it was tolerably certain that goodwill would not in that case be considered at all. They took the declaratory value, the value of the premises without a licence and the value of the premises with, and they provided that the declaratory value should be taken every seventh year. He wished the advisers of the Government in this matter had really understood the exact position of this matter when advising them.

In a pamphlet the right hon. Member for the Spen Valley said—

“ The Act of 1904 does not say anything about paying compensation for goodwill. What it provides is that the amount to be paid should be a sum equal to the difference between the value of the licensed premises and the value which these premises would bear if they were not licensed premises.”

But, as had been pointed out, this difference in value practically did include it. What they wanted to get at was the market value. He asked, Was it the intention of the Government, in taking away these licences, merely to pay compensation for the monopoly value, and not for the market value? The Government were, he understood, only proposing to pay the monopoly value. The monopoly value, of course, existed, but what would be the value of the monopoly if it were not for the house and the money put into that house to work the business? There would be no value. It only got its value from the fact that somebody provided capital with which to work it. If they only compensated for monopoly they compensated insufficiently, ignoring altogether the question of goodwill and the profits made. It would be derisory compensation if the amount of monopoly value were alone to be considered. It was said that there seemed to be no very great increase of values in recent years. That arose largely from the alleged inefficient state of the valuation law. An important feature, namely, the greatly increased competition which had taken place by the establishment of clubs, had been ignored altogether. There was also at the present time a more severe and acute competition between on-licences and grocers' licences in the spirit trade, and these two factors as well as the weakness of the valuation system had a great deal to do with the somewhat interesting and startling figures which had been adduced in this particular. His complaint was that the compensation proposed to be given was totally insufficient. He believed that in many cases no compensation would be given at all. There were many cases in which the rateable value for income-tax was less than what it would be if the premises were not licensed at all. That seemed to him, therefore, as it seemed to the Commissioners, a perfectly impossible basis on which to found any

*Mr. Younger.*

accurate or fair system for compensating public-houses. The Prime Minister had said that in the case of the sale of one of their houses the Government were obliged to adopt the attitude of Lord Justice Kennedy. He thought the right hon. Gentleman was quite right; he was dealing with public property, and he had to get the best price he could for the public. He did not find any fault with that; but he did find fault that they refused to adopt the system of the Inland Revenue authorities, whose action had been frequently alluded to in this connection. The Chancellor of the Exchequer made a long speech the other night on the valuation of licensed property for the purpose of the death duties. He was interested to notice that on the day after a solicitor in Tunbridge Wells stated that he had recently had occasion in the interest of a client to settle the value of a public-house with the Inland Revenue authorities for death duties, and acting upon the speech of the Chancellor of the Exchequer he suggested that fourteen years purchase was all to which they were entitled. The Inland Revenue authorities laughed at him, and the house was ultimately valued at twenty-seven years purchase. It appeared, therefore, that the Inland Revenue Commissioners had not adopted the scheme of valuation which was so much commended by hon. Members on the other side. On the contrary they followed a method which at all events produced for the State in the way of death duties a value far above what any one who was to be dispossessed under this Bill had asked to be paid. He hoped this debate would lead the Government to see that some further serious consideration required to be given to the question of compensation. They were proposing to place an extremely unfair burden on certain parties, and that largely from the fact that they were establishing a national fund instead of a local fund. The conditions which justified the 1904 proposals did not exist here, and he hoped that in this matter the Government would change their minds for the better as they had changed their minds for the worse in other parts of the Bill.

MR. LUPTON (Lincolnshire, Skefford) said the Committee had heard a great

from the opposite side for  
ard to the amount of com-  
be paid for public-houses.  
a very fine thing, but it  
's pleasant to the recipient.  
inded of what the great  
said—

nan after his desert, and who  
hipping?"

a dealing with this matter  
ish the Committee to apply  
e to licence-holders. He

Committee ought rather to  
at the licence-holders them-  
ed, and what the Committee  
lly, he did not say generously,  
er that this business might be  
aving heard all the arguments  
gainst this particular scheme  
nsation, he had come to the  
that there was no use trying  
the question by any process of  
to what the exact rate of com-  
should be. They had to

what was the compensation  
he parties to be compensated  
accept, so long as the demand  
was not too large. He thought  
should be inserted in this clause  
would have the effect of giving  
ner of the licensed premises the  
value. The scheme of compen-  
according to Schedule A had a  
many advantages. It should be  
ned with arrangements for the  
g of the assessments, and in that  
it would be a good thing for the  
ue of the Exchequer and of the  
authorities. If it were found that  
assessment under Schedule A was  
ficient, the owner of the house  
ld be penalised by having the  
unt payable for compensation re-  
ed accordingly. That would make  
ice-holders careful to see that they  
e properly assessed, with the result  
t the rating authorities would get  
advantage of fair assessments on the  
mises according to their value. The  
ject of the Bill was to bring about  
great result for the good of the com-  
unity, and it would be a great pity if  
ey did anything which would cause  
unity between different classes. It  
ould not pay, from the point of view  
f the Liberal Party, to set the liquor  
rade against them. He did not see why

they should fight over the amount of  
compensation to be paid at all so long  
as those engaged in the trade were willing  
to pay a larger amount than that pro-  
posed. The drink traffic represented  
the stomach of the nation, and was far  
more powerful than the head. He  
presumed that the trade only wanted  
their money back, and with ordinary  
business prudence the Treasury Bench  
ought to be able to devise a satisfactory  
scheme of settlement between this and  
the Report stage. At the same time he  
wished to warn the brewers that the less  
they cried for justice, the better it would  
be for them in the end.

SIR F. BANBURY (City of London) said  
that if temperance reformers desired to  
take away the property of brewers in order  
to advance the cause of temperance, that  
could be done by paying fair compensa-  
tion. He understood the hon. Member  
opposite to say that the brewers did not  
anticipate the Kennedy judgment would  
be what it was. He was not himself a  
brewer and he had no means of know-  
ing what they anticipated, but he  
would point out that the Kennedy judg-  
ment should have as much weight as  
the judgment in the case of *Sharpe v.*  
*Wakefield*, of which they heard so much  
from hon. Gentlemen on the other side  
of the House. The Kennedy judgment  
did not suit them; they said that  
the brewers did not expect it, that  
the late Government did not intend it,  
and they argued consequently that no  
attention should be paid to it. It ap-  
peared to him that the Kennedy judg-  
ment was in accordance with ordinary  
justice and common sense, and that it  
ought to be carried out. If the Govern-  
ment were going to take away a man's  
business, they ought not to apply a  
hard-and-fast rule, but should investigate  
each case upon its merits, and give judg-  
ment accordingly. He had the honour  
of being a Member of this House at the  
time the 1904 Act was passed. He  
voted for it with the hope that a judg-  
ment similar to the Kennedy judgment  
would be given. He did not know  
whether there was any difference between  
restaurants and public-houses under the  
Bill. Perhaps the hon. Gentleman  
opposite would tell him.

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT: (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): They will not be compulsorily reduced. It is in the discretion of the magistrates.

SIR F. BANBURY said he did not think that the Under-Secretary was quite clear on the subject; but he presumed that restaurants would be treated in the same way as ordinary on-licences. He would take the following case, the accuracy of which he could guarantee. A house in London was let at £3,000 a year as offices. Alterations were made upon it to adapt it for a restaurant; and it was thereafter let on lease for sixty years with a licence transferred from a licensed house in the same street, belonging to the same freeholder, at £4,000 a year. The annual value of the property without licence was, therefore, clearly £3,000 a year. The lease was granted ten years ago. If therefore the licence was taken away at the end of fourteen years from now the leaseholder would have to lose £1,000 a year for thirty-six years. If the licence was taken away in a year's time the compensation would only be such a sum as was the value of the difference between the annual value with the licence and the annual value without the licence, so that he would get no compensation for the loss of his business; he would only be recouped the loss in rent for thirteen years; and would then still have to lose £1,000 a year for thirty-six years. Here was another case. A licensed victualler had a house on lease with an unexpired term of thirty-two years. He invested of his own money in that house £16,000, and in addition £6,500 which he obtained on loan from the bank. On the Second Reading of this Bill the bank called in the loan of £6,500, and an old friend of the family lent the man £6,500 to replace the loan called in by the bank. The whole amount of money in that house was therefore £22,500; and the compensation under the Bill would only amount to £5,800. He did not want to make a point of the assessment, because he failed to see what assessment had to do with the matter at all. They all knew that in London assessments were conducted

in a business-like and proper manner, but that was not the case in the country. He knew of a case in which the overseers had kept on assessing a house which had been pulled down for twenty years. What then had that to do with the brewer? It was no fault of the brewer. He would ask the Committee to think seriously before passing this particular clause. It might be right or it might be wrong to abolish licences; but in any case it must be a self-evident proposition that if they were going to abolish licences in the interests of the country, the country ought to see that clear compensation was given to the brewer. He himself would go further; he thought the compensation should come from the public who were going to be benefited by the Bill, according to the argument of hon. Members opposite. As, however, it was impossible for the public to pay the compensation, he thought provision ought at least to be made whereby the brewers by themselves might arrange a fair compensation in the event of a fairly conducted business being closed.

\*MR. RIDSDALE (Brighton) said he should like to discuss this subsection from a point of view which had not yet been put before the Committee; that was to say from the point of view of machinery rather than that of the basis of compensation. Any licence that was suppressed during the first year of the reduction period would be compensated according to the term of the reduction period still unexpired, so that the holder would get thirteen years compensation. If they followed that up all the series of years during the reduction period they finally came to the case at the end of it in which the licensee who was reduced during the last year of the period of fourteen years got no compensation at all. That was obviously an inequitable proposition, and he was perfectly certain it must have occurred to the Government that this subsection must be recast, because they had introduced into Clause 3 a new principle. Under Clause 3 as drafted the reduction period and the time-limit were coterminous, but the Prime Minister had given the House to understand that at the expiration of the reduction period there would be a time of grace of seven years before



attempt would be made to exact the *poly* value out of the licensees who *red*. Let the Committee look at the *tion* of a man who was suppressed in last year. He would get nothing, the man who was perhaps very little *er* than himself so far as the needs the neighbourhood were concerned *eeded* in lasting over the reduction *od*, and got into that seven years of *ce*. His compensation levy stopped, he was subjected only to the *inary* demands which a licensee had *pay* at the present time and he a probable seven years run of *business*. Surely they could not that there was any equitable treat-*nt* in those two cases. The man who *s* suppressed in the first year of the *uction* period, who got thirteen years *npensation*, was admittedly a man *o* had set up a house and run a *siness* which had been a redundant *siness* carried on to the detriment of *s* neighbours, for those responsible for *oming* the scheme of reduction had *lected* him as the man to be suppressed the earliest possible moment. Surely *ey* were not going to give him thirteen *ars* compensation and give the *an*, whose licence was suppressed the end of the period, having set *p* a house that served the needs of *is* immediate neighbours—who on the *hole* had conferred good rather than *evil* *n* those neighbours—no compensation *t* all. He really submitted that that *art* of the scheme required redrafting, *nd* he had put down an Amendment to *meet* that case. It was quite a simple plan *hich* could be adopted, without cutting *t* the scheme of the Bill, because happily *he* Prime Minister had instituted a *even* years period of grace which was *n* integral part of the reduction period. Therefore if they adopted a sliding scale *nd* conferred on the licensee who was *uppressed* in addition to the amount of *money* he would get proportionate to *the* term of years unexpired, an amount *equivalent* to half the number of *years* which his tenancy had already run, *they* would get a graduated scheme which *was* fair and equitable. He would give a *couple* of instances. Take a case in which *the* licence was suppressed after two years *with* twelve years of the reduction period *still* unexpired. Under the Government's

scheme that man would get twelve years compensation. He suggested that he should get twelve years compensation plus two periods of six months in respect of the two years licence he had already enjoyed. That would give him thirteen years compensation altogether. If a man had eight years of the reduction period expired and six years still to run, under the Government scheme he would get six years compensation. He suggested that he should get six years compensation plus eight periods of six months or four years, making ten years compensation in all. Take the case of a man who had thirteen years expired and one year to run. Under the Government scheme he would get only one year's compensation. He suggested that he should have one year's compensation plus thirteen periods of six months or six and a half years, which would give him seven and a half years compensation in all. Take the last case of all, the man whose whole fourteen years had run, who had been paying the compensation levy the whole time, and whose licence was suppressed, but who had just failed to enter the period of seven years grace. Under the Government Bill he got nothing, but under his suggested Amendment he would get seven years compensation. He very humbly submitted that if the Government could see their way to introduce that principle into their clause it would make the Bill much more equitable and fair all round.

MR. LYTTELTON (St. George's, Hanover Square) said he would press most strongly upon the Under-Secretary the absolute necessity of meeting the arguments which had been directed against the clause unless the Bill were to be a palpable absurdity. It was manifestly absurd that at the end of fourteen years a man who in all likelihood was a deserving man, who had paid the compensation levy for fourteen years, and whose house by hypothesis was more desirable than another, should receive nothing; whereas a man whose licence was suppressed at the beginning of the fourteen years, whose house probably was undesirable and clearly redundant, should receive substantial compensation. The arguments that day on the other side of the House, with the exception of the

Member who had last spoken, had been somewhat of a technical character. He wanted to remind the Committee, in the first instance, that whatever the basis of the compensation was, it was the trade that had to pay it. It was clear that the reason for the alteration in the compensation scale levy was not that it was an unjust levy, but that it was the policy of hon. Members opposite to accelerate the speed of reduction in the number of public-houses. That might be the policy. But if it was the policy of hon. Members to accelerate the speed of reduction, surely that ought to be done upon just and fair terms. He believed the Committee were almost throughout agreeable to that. Therefore, apart from technicalities, let them go to the heart and substance of the matter, and ask themselves whether this was a true, honest, and fair way of ascertaining the compensation due to those whose licences were reduced without misconduct. Supposing any hon. Member was called upon to value property. Take the simplest case of valuing not a public-house, but an ordinary house. Obviously, the way he would proceed would be to ascertain its rental; whether it was in a good neighbourhood; whether it was in a town which was likely to maintain its position; and according as these questions were answered affirmatively or negatively he would apply a low or a high rate of purchase. If it was a very good property he would apply twenty or twenty-five years purchase; if it was a bad property it would come down to as low as nine or eight. That particular method of ascertaining value, and what it would be fair to pay to an owner if he were dispossessed, was not open to a valuer of "tied" houses, because in those cases the rental was compounded of two things, a money payment and an onerous obligation into which the tenant entered to buy his beer from a certain brewer at a certain price. Therefore, the owner who was a brewer, in that case received for the house which was his property, a rental in money and a covenant to buy from him an article from which he made a substantial profit. The true compensation in that case, therefore, and no one could deny it—there was no escape from it—was

first the cash value, and next the value to the brewer of the retail trade which he sold to the publican, which, of course, was a very much larger sum than the rental itself. What hon. Members desired to do in this case was to get rid of that second element of value altogether, but really it was not arguable. They desired to say that where a publican had a price of £100 to pay, and where he had under the terms of the "tied" covenant to pay £200 a year more—that was to say, where the total value of the premises to him was £300 a year—they were going to say and, as he understood the Government proposal was, that the value should be £100 a year instead of £300. That really was a proposal which he ventured to think was preposterous, and he could not think that hon. Members understood it before they made it. It was perfectly true that Lord Justice Kennedy himself had said that in the absence of rental for premises such as this, he had found it absolutely impossible to arrive definitely at the value of the house. But when they had a figure, very often a very small figure for the rental, and a large figure for "tie," he said they must take both those figures before they could arrive at what the true value of the property was, either to the publican or to the brewer. He should like to say that that was an uncontestable proposal. He had taken part in very many arbitration cases, and it had never been and never could be disputed that when they had to deal with first the property consisting of bricks and mortar and land, and then a trade carried on on the property, to which that property was peculiarly adapted, they must have regard to the property as a whole as enhanced by the trade carried on before they could ascertain what the value was or might be to the owner or tenant. The hon. Members for Lincoln and Huddersfield, to whose speeches he had listened with great interest, impeached, as he understood, the very simple principles which he had been venturing to submit to the House, not upon the authority of the Kennedy judgment but upon the authority of universal practice which that judgment did not go beyond.

How had the hon. Members sought to impugn these conclusions which seemed to him to be so clear? They had said that such a construction as this of the 1904 compensation clause was clearly against the intention of the authors of the Act. It would have been expected that to have established and maintained such a proposal as that they would at least have been able to quote some words from the late Prime Minister bearing out any such intention. No such words had been submitted, and he would only say that he would himself protest against the idea that anybody except the Prime Minister and the Member actually in charge of the Bill could be considered an authority as to what the intentions of the Bill were. Since his right hon. friend the late Home Secretary had been quoted in connection with the proposition laid down, he would read his answer to the present Minister for Education. The latter right hon. Gentleman asked whether steps would be taken to introduce in another place an Amendment to the Licensing Bill granting to the licensee compensation for goodwill. The late Home Secretary having answered that Question, the present Minister of Education inquired—

“Is there a provision in the Bill giving compensation for goodwill?”

And Mr. Akers-Douglas replied—

“It must be an element in the question which the Committee have to consider.”

And how could one possibly consider the question of goodwill without this element? There they had the whole matter as he thought. How could they possibly consider the value of the goodwill of a person carrying on business, without some regard to the profits he had earned?

MR. SHERWELL: May I ask the right hon. Gentleman one question. Is he referring to the goodwill of the brewer or manufacturer or the goodwill of the retailer?

MR. LYTTLETON: I am referring to the goodwill of both. The proposal of the hon. Member for Lincoln was that the intention of the authors of the Act

was to exclude the elements of profit altogether.

\*MR. CHARLES ROBERTS: I am sorry to interrupt but that was not my meaning. What I did mean was that I thought it was the intention of the authors of the Act to exclude consideration of the wholesale profits of the brewer except in so far as the monopoly profits derived from the licence increased the real rent which a hypothetical tenant would pay. That is the only way in which the wholesale profits should be taken into account.

MR. LYTTLETON said he only desired to arrive at the hon. Gentleman's real meaning, but when they had to consider, as they had to consider here, what the value of the licensed premises was to the owner as well as to the tenant, how could they possibly, in common sense apart from the law, divorce the worth to the owner measured by the “tie” covenant in the deed between the parties. The hon. Member knew as well as he did that the brewer was perfectly ready to take £25 rent, looking at the £200 or £250 a year profit which he might make upon the beer. If they had to consider that question, and it was admitted that they had in order to estimate the value of the premises to the owner, was it possible to exclude the item, and how was it possible to exclude the consideration of the profits which lay at the root of the whole matter? Then the hon. Member for Huddersfield impeached this judgment on the ground that Lord Justice Kennedy had failed to distinguish between what the hon. Member called the precarious property—which was subject to the will of the justices not to be renewed—and the more assured property of the ante-1869 beer-house, and he said a distinction of only one year's purchase was made between the two. The hon. Member would forgive him for saying, however, that if he had had more experience in this matter he would have known that very often the ante-1869 beer-houses were of the poorest and most miserable class of property. They were scarcely worth a year's purchase of their profits. Others were worth more because they did a good trade. But

those who did a bad trade were not worth more than one year's purchase as compared with the ordinary public-house. But the hon. Member sought to derive from that argument an inference that Lord Justice Kennedy had treated the ordinary public-houses as if they were freehold; but no such deduction could, he thought, be made. He should like to call attention to the fact that there was a passage in the 1904 Act, the general effect of which was that nothing that ensued from the passage of that Act should be deemed to enhance the value of the licensed property after its passing. They had, therefore, it was said, when they were following up those words for the purposes of compensation, to consider the pre-1904 period. He accepted that, but did not see how that had really anything to do with the present case. It was perfectly obvious that the temperance party was quite sufficiently energetic and wealthy to make that clear in a Court of law if it was not clear now. He thought it was perfectly clear. He did not think there could be any argument in regard to it under the Act. He thought that the hon. Member, whose great knowledge on this subject everybody cheerfully recognised, would agree that it had no bearing on this case. Nobody except a few persons on the other side of the House would wish to do injustice to those whom they reduced during the fourteen years, and that feeling which ought to commend itself to all was surely rendered more palatable to those who entertained a strong temperance opinion by the fact that the justice to be given to them would be paid for by the trade to which they belonged. There were only two other arguments to which he would very briefly refer in conclusion. Of course there were certain differences of opinion as to the amount of variance between the Government proposals and the 1904 proposals, as to the compensation which would be payable. He thought it ranged from one-third to one-eighth, but great as was the zeal of the hon. Member, he did not dispute that at least one-third would be the difference. There was one other objection raised against the present basis, and that was its inconsistency with assessments. That

was dealt with most fully by his hon. friend the Member for Ayr, who said that the Majority Report of the Royal Commission showed that the assessments for rateable purposes had nothing to do with the question of compensation at all—that such a contention was inadmissible. Anybody who had had anything to do with compensation law knew that perfectly well. It was a sort of last resource for a counsel in a desperate position to set up, but every arbitrator in the Kingdom knew that the argument was totally irrelevant and ignorant. The passage to which he referred was to be found at page 53 of the Report of the Royal Commission of which Lord Peel was the Chairman, in which it was proposed that the taxation of licensed premises should be on the basis of assessment. He had now, he thought, disposed of, or he had endeavoured to dispose of, the whole of the five objections raised by the hon. Member opposite. The real fact was that the Government were attempting to accelerate the reduction of licences by paying very much less than the interests were worth. They were proposing to pay merely for the value, not of the trader's interest in the premises or of the premises themselves, but of the exclusive right which his licence gave him. A moment's consideration would show that that was to give him much less than his due. Take a place in which there was only one public-house, in which there was room for only one public-house, and take it that that public-house was carried on by an excellent man in an excellent way. In the course of thirty years he had established, as everybody would admit, a strong claim for goodwill—there was the strongest presumption that the old customer would resort to the old place—which was worth, let them say, £500. What was the value of the exclusive power which his licence gave him? It was probably worth nothing, because nobody would be fool enough to come into such a place with a man so entrenched against him, there being, by hypothesis, no room for more than one public-house. In that position of things, under the Government's proposals, as he read them, they would not pay this man for his trade interest nor for his goodwill. They would pay him

*Mr. Lyttelton.*



which was, as he thought, —the power of excluding others would come.

**ERT SAMUEL:** The speech we have just listened from the gentleman is an indictment of this clause and a plea for its removal from the Bill. It must be once that hon. and right hon. members opposite have a perfect answer: "Granted you are pro-ter the licensing law, and going to accelerate the reductions, you leave the present system of compensation untouched? Why have you done that at all, seeing that the trade compensation levy and is in line with the system of compensation is?" That is a question to receive a full reply. We are sums which are now being paid for what is colloquially known as the Kennedy judgment, as grossly excessive. That judgment was received by the whole of the liquor trade with, to say the least, mingled gratification and surprise, and with equal dismay among the benches throughout the House. Those hon. Members who have been as licensing justices know what that judgment was to the attempts they were making to secure a proper regulation of licensed houses. Not only unexpected by them, but I venture to assert and emphasise the argument, strongly put by the hon. Member for London in his able speech, that compensation on this basis was wholly unexpected by the framers of the Act of 1904. The basis of compensation awarded by Justice Kennedy included an element of brewers' profits which was no part of the system contemplated by them. So that as the actual value of the licences is ascertained, the sums now paid are in excess of those which were quoted in the House by the then Ministers as the probable values of the houses to be suppressed. The right hon. Gentleman who has just sat down, then the Secretary of State for the Colonies, when it was asserted by the then Opposition that the compensation levied would be only sufficient to pay for a small number of houses, and that the licensed value of those houses must be taken at a higher figure, said that the hon. Member for

the Spen Valley in taking the figure at £1,000 in the towns and £600 in the country had taken a figure which was preposterously large. What has been the result? Taking the whole of the country, town and country together, in the first year after the Act of 1904 the average sum paid for licences was £614. In 1906, in the summer of which year the Kennedy judgment was delivered, the average amount paid was £698. But in 1907, when the Kennedy judgment was having its full effect, the average amount paid had risen from £614, which it was in 1905, to £921. In the towns, of course, it was far higher than that. The right hon. Gentleman also said, in the same debate, that—

"For example, Liverpool estimates that the sum for its contribution will be £35,000 a year, and that the value of the licences likely to be extinguished would be £500."

As a matter of fact, the sums which the licensing magistrates of Liverpool had to pay, owing to the Kennedy judgment, last year averaged, on thirty-six houses, £1,068, a sum which the right hon. Gentleman in 1904 declared was preposterously large. Other Gentlemen supporting the then Government gave estimates of a similar kind. One Gentleman, then one of the Members for York, who was well known as one of the inspirers of the Act of 1904, Mr. Butcher, asserted that the figure of £1,000, which had been suggested for Birmingham, was absurdly large—that £500 would be nearer the mark as the average sum payable for compensation in Birmingham. I have had the figures for Birmingham taken out, and I find that last year, on an average of twenty-six houses, the sum which had to be paid was not £500 but £1,679. Mr. Lloyd Wharton, then a Member of the House and a leading supporter of the party opposite, also put £500 as a reasonable sum. In another place, Lord Lansdowne stated that the sum available would be £1,200,000, and that that would be sufficient, it was estimated, to suppress between 1,500 and 2,000 licences, which showed that he estimated a sum of between £600 and £800 per licence, while Lord Salisbury put the estimate still lower—at about £400 per licence to begin with. Comparing these figures with those which had actually to be paid

under the Kennedy judgment, we are entitled to say that the valuation of licences is far in excess of that which the House was led to anticipate would be the sums payable under the Act of 1904. But it is said, supposing that the owners of these houses are getting more than the real value, why should this House take the trouble to interfere. The trade pays and the trade is satisfied. Why not leave it alone? The answer is simple. We hold with both the Majority and Minority Reports of the Royal Commission that a large reduction in the number of licences is essential in the public interest. That cannot be effected unless we can increase the compensation levy, which we are unwilling to do, or else pay compensation on the fair value of the licence and not on the valuation which is now paid, and which we assert to be an inflated valuation. That is the reason why we cannot leave it alone simply on the ground that the trade paid and the trade alone suffered. I come to the question of the assessment of the value itself. The question of valuation is an intricate one. There are three elements to be considered; first there is the basis of valuation, the annual licence value, how are you to assess that? Then there is the number of years purchase; and, thirdly, the position of the tenant which ought to be considered—the allocation of the compensation, whatever it may be that is to be paid, among to the several parties interested. As to the annual licence value, the subject of compensation is the value of the premises as a place of retail trade, and not the value of the premises as an outlet for wholesale trade. If the licence is suppressed it is probable that some of the trade will be diverted into other channels, though we hope and believe not the whole of it. To put the case very simply, if the licence of a free house which is being supplied by different brewery companies is suppressed by the action of the law, ought the compensation to be paid include the loss which would fall upon the brewers which have previously been supplying it?

MR. LYTTTELTON: The brewer has nothing to do with it. The tenant there has the power of letting to another tenant and selling to him the right of retailing,

*Mr. Herbert Samuel.*

and that right would always be enhanced in value by the fact that the brewers would bid against him for the possession of the house, and as such would make up the market value.

\*MR. HERBERT SAMUEL: The first part of the right hon. Gentleman's reply fully answers my question. Nobody would propose—certainly it cannot be read into the Kennedy judgment—that where a free house is suppressed the brewer has any right to receive any compensation at all. The question is: How much should be paid in the case of a tied house? The right hon. Gentleman says it is an incontestable proposition that the rental of such a house does not represent the value of the licence. Nobody would contest that for a moment, and if one only considered the rent in arriving at the basis of compensation, one would obviously be committing an injustice. But we are not doing that. We are taking the Schedule A value of the house, which is a very different thing. The Commissioners of Income-Tax would never accept the rental value of a tied house as representing the Schedule A value of that house unless they were convinced that the rent was the only consideration for the lease. Where there is a further consideration as there is in the case of a tied house—namely, that the lessee shall buy his beer at a certain price of a certain brewer—there is another element to take into consideration; and the Inland Revenue Commissioners would take that consideration into account, and, in assessing the house to Schedule A, would value it at a figure considerably above the rental. That completely answers the question as to rental. The question then arises whether the Schedule A value as so defined is a fair representation of the licence value of the house. If that is disputed, if it is said that the income-tax value is not the real value, the argument must lead inevitably to the conclusion that the house is paying too little to the income-tax. I assert hon. Members opposite are on the horns of a dilemma; either they must admit that the income-tax valuation is a fair one, or if they do not it leads to the inevitable conclusion that publicans and brewers pay less than their share of taxation.

AN HON. MEMBER: Goodwill

\*MR. HERBERT SAMUEL: It is said that the question of goodwill must be taken into consideration, and the right hon. Gentleman has instanced the case of a public-house which was the only one in a certain place, where the publican by his energy and civility has built up a valuable business. The illustration is not a fortunate one, for, if it is the only public-house in the place, it certainly will not be suppressed.

MR. LYTTELTON suggested that it might be suppressed in Wales.

\*MR. HERBERT SAMUEL: That is, I admit, conceivable, but I did not think the right hon. Gentleman limited his illustration to the case of Wales. In dealing with goodwill you must define what you mean by goodwill. Goodwill may be of different kinds. It may be personal goodwill or what may be called local goodwill. It may attach to the person managing the business, or it may attach to the premises as being peculiarly suited to the particular business carried on there. With regard to personal goodwill, we contend that that is covered by the extra compensation—to which the right hon. Gentleman made no reference—payable to the tenant of the house—the actual licence-holder. Personal goodwill does not belong to the owner of the house. It is the creation of the tenant, and he will receive compensation under the provisions of the clause. The local goodwill attaching to the premises is unquestionably included in the Schedule A valuation. The right hon. Gentleman the former Home Secretary was quite right in saying that the Act of 1904, whether as interpreted by the Inland Revenue Commissioners or by Mr. Justice Kennedy, in either case included an element of goodwill, and the contention of the Government is that it is included in the Bill. Whether you look at it from the point of view of goodwill or any other, the Government assumes that, in the case of a tied house, the Schedule A valuation is a fair and reasonable basis for compensation, and that was the view of the Inland Revenue Commissioners, on whom is placed by the Act of 1904 the duty of interpreting the terms of that Act. The proposal in the Bill is the very proposal adopted by the

Commissioners under the Act of 1904, as is shown by the memorandum issued by them upon this question. It was altered by Mr. Justice Kennedy, who placed a different interpretation upon the somewhat obscure words of the section. I now come to the second point. Having fixed the annual licence value, how many years purchase is a fair sum to pay? When the licence value is regarded practically as a freehold, as it was under the Act of 1904, of course freehold value had to be paid, and the period of twenty-five years purchase was not altogether unreasonable.

MR. LYTTELTON: Not of the licence.

\*MR. HERBERT SAMUEL: Of the whole value of the premises under Schedule A. Here again we have to ask ourselves what it is that has to be compensated. Under the operation of the time-limit clause the subject of compensation is the monopoly value which the licence-holder would retain if his licence were not suppressed but allowed to run on until the monopoly value was taken from him. If the licence is taken at the beginning of the period, he will be entitled to a considerable amount, because the licence would have had a long time to run; if taken at the end of the period, the compensation ought to be very much less. Hon. Members say that it is very hard on a man whose licence is taken away at the end of the period, after he has paid the compensation levy all those years, that the more he has paid the less he should get in the end. That is a complete misunderstanding of the position of the licence-holder under the operation of the time-limit clause. He was in a similar position to that of a leaseholder paying rent for a given number of years. Let us suppose it is a fourteen years lease. If his lease is taken away for any reason at the beginning of the fourteen years he is entitled to a considerable sum in compensation, but if it runs on for ten years and he has paid rent all the time he will only get compensation for the four years that remain which will be much less. Then I take another illustration from insurance. A man who has insured himself against accident and has paid year after year

without having any accident receives nothing. He is paying for his neighbour who suffers from any accident, and at the end of twenty years he might die of disease and get nothing from his accident insurance. We have been asked to-day by more than one hon. Member whether the extension of the time-limit by seven years does not necessitate an alteration in the provisions of this clause. The right hon. Gentleman opposite has said that it would be obviously unjust in the case of a man compensated in the fourteenth year only to pay him one year's purchase, while in the case of a man who ran over the fourteen years he would be allowed in all probability to go on for a further seven years and without his paying the monopoly value. There is that injustice in the Bill if the clause remains as it is, but it is the intention of the Government on the Report stage to move certain alterations consequential on the addition of the seven years—[Ironical Opposition cheers]—we could not possibly insert them at the present stage, for the simple reason that the proposal for the seven years extension has not yet been embodied in the Bill.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): Can the hon. Gentleman indicate roughly what will be the consequential Amendment of which he has spoken?

\*MR. HERBERT SAMUEL: An additional number of years purchase for those licences which are suppressed.

MR. AUSTEN CHAMBERLAIN: To run during the subsequent seven years?

\*MR. HERBERT SAMUEL: That does not arise at all. We are dealing with those houses that are suppressed as part of the reduction during the reduction period. It is compensation with regard to those houses that we are now considering.

MR. AUSTEN CHAMBERLAIN: In order to get the matter clear, do I understand that a man who is suppressed at the beginning of the time-limit will be compensated on the basis that his licence has fourteen plus seven years to run? When a man's licence is taken away at the

end of fourteen years, is there no compensation at all, or is his proportion of the seven years extension added to the time-limit?

\*MR. HERBERT SAMUEL: No licence will be taken away as part of the reduction scheme after the fourteen years, but during the fourteenth year a man will get compensation in respect of what he loses, which is not merely his monopoly value for one year, but the prospect of seven years free from monopoly charge. It is only just and equitable that he should receive a sum in respect of that. I now turn to the last point upon this matter and that is the licensee's share of the compensation money. The Act of 1904 provides that having determined what is the fair licence value of the premises to the owner it is to be divided between the owner and the licensee. That has always seemed to me to be unfair to both parties; it is unfair to the owner, because if the award is the fair value of the premises to the owner it ought to go to him; and it is unjust to the licensee, because there might be a case in which the owner's value was comparatively small, while the licensee might be making a very fair living. The sum at the disposal of the compensating authority for the benefit of the licensee, would, in that case, be exceedingly small. Under the present law the compensation paid to the licence-holder is frequently most inadequate. This class of man who has to take this special risk and who is represented by hon. Members opposite to have a special claim on such compensation as ought to be provided, has been somewhat unfairly treated by the Act of 1904. We propose that the sum payable to the licence-holder shall be a completely separate charge on the compensation fund, that what is assessed as being the fair value to the owner should be paid to the owner, and that separately the Inland Revenue Commissioners shall be required to assess the actual loss sustained by the licence-holder by the loss of his business. There appears on the Amendment Paper one or two comparatively small Amendments in the name of my hon. and learned friend the Solicitor-General relating to this provision. It is intended that in no case shall the licence-holder receive less than

*Mr. Herbert Samuel.*



a year's profit for his business. The Act of 1904 provided that in no case should the tenant receive less than this one year's purchase. That was not originally inserted in this Bill because it was thought to be superfluous, but since some doubt has arisen on the point we have determined to ask the Committee to insert words making it clear that in no case should the publican receive less than one year's purchase. It has been pointed out also that the words of the clause might not be held to include a paid manager who lost his employment; to make it clear that he is equally entitled to compensation with other licence-holders my hon. and learned friend will insert words to that effect. Thirdly, a burdensome agreement might be required from publicans, contracting themselves out of the intention of this clause that they should receive separate compensation. We shall insert words to the effect that a tenant shall receive the compensation the law intends him to have, any agreement to the contrary notwithstanding. I come now to the special case of the ante-1869 beerhouses. We are told that whatever we may say with regard to ordinary public-houses, we have no right to impose these conditions on the ante-1869 beerhouses that had a statutory security. They, at all events, are not working under *Sharpe v. Wakefield* conditions, but have a right to their licences which we are now taking away at the end of the period without any compensation and with only a diminishing compensation during the period. What are the facts? The Act of 1869 did not confer a privilege on these houses, but limited a privilege already existing. Under the Act of 1830 Parliament rashly threw open the beer trade to any one who chose to pay for an Excise licence at the cost of two guineas, free from all control by the justices. Six months after the passing of that Act 24,000 beerhouses were opened, and in eight years 45,000 were opened. There was an immense increase in the consumption of drink, and this was indeed one of the most striking instances of the degree to which facilities for drinking give rise to intemperance. Many attempts were made in Parliament to undo this blunder, but not until 1869 was an Act passed which, not completely, but partially, for the first time, brought

these houses under the control of the justices. It said that they might be suppressed for the misconduct of the licence-holder or on account of the unsuitability of the premises, but were not to be suppressed for other reasons. If hon. Members say that the Government has no right to put these houses into their scheme on the same footing as other houses, I ask what right had Parliament in 1869 to bring under the control of the justices licences which in 1830 were granted free from all control. The next incident in the history of these houses was in 1879, when a Committee of the House of Lords, considering the drink question, recommended that they should be assimilated to other public-houses for all purposes without compensation. As I have said in a previous debate that was not the resolution of any revolutionary or confiscatory tribunal. In 1882 a Bill was introduced by the then Mr. Ritchie, who was no enemy of the trade, bringing under the complete control of the justices for all purposes the ante-1869 "off" beerhouses. If it is a monstrous breach of Parliamentary guarantee for the Government to bring them under this Bill, how can they defend the action of Mr. Ritchie and the Parliament of that day in doing that very thing? The next and, up to this year, the last chapter in the history was the Act of 1904, which for the purpose of reduction assimilated these houses to the other public-houses and repealed the section of the Act of 1869 which preserved to them a part of their ancient privileges. These beerhouses did not in 1904 run any risk of suppression by the magistrates except for misconduct or unsuitability of premises, yet the right hon. Gentleman required them to pay the same compensation levy as other houses. [Mr. A. J. BALFOUR dissented.] Surely that was the effect of the Act of 1904? The right hon. Gentleman gave the justices the power to suppress them—with compensation certainly, but he required these houses to pay a compensation levy to protect themselves against the risk he imposed upon them, and which they had never previously run. If the Government's proposal is a breach of a Parliamentary guarantee, surely the right hon. Gentleman's proposal was equally so, and is equally to

be condemned? It will not be until the year 1930, until the twenty-one years has run out, that full control will be obtained over the ante-1869 houses, and it will have taken 100 years to undo the error committed by Parliament in 1830. Surely it cannot be said that an act once done by Parliament is never to be undone, and that the State is never to have control over these houses. My last point is this. We have had in connection with these compensation proposals innumerable sets of figures sent to Members of Parliament and issued in the Press, showing what will be the compensation payable under this Bill in contrast with the estimated market value of the licences. We have had long sets of tables estimating the market value at £1,000, £2,000, or £3,000, or whatever it may be, and the compensation payable under the Bill at £50, £60, £70, or whatever figure the fancy of the compilers may suggest. There are three reasons why those figures are all totally unreliable. In the first place they cannot be accepted because no statement is made as to the method by which the estimated value of the licences is arrived at. We do not know whether they merely represent the cost value of the licence—a notoriously unsafe system to go on; and we are never told who has estimated the value and by what process the figures are arrived at. Secondly, all these figures with regard to the compensation payable under the Bill presume that compensation will be paid on the basis of the present income-tax assessment of these houses. As we all know, the present income-tax assessment is often much too low. The hon. Member for the Ayr Burghs with that candour which always characterises him did not deny there are cases and perhaps numerous cases in which the income-tax assessment is too low.

MR. YOUNGER: I was careful to say in England and not Scotland.

\*MR. HERBERT SAMUEL: This Bill only applies to England. It is a remarkable thing that the assessment is often put at a very different figure when a man has to receive on it from the figure at which it is put when he has to pay on it, and

*Mr. Herbert Samuel*

I have no doubt that when the Bill comes into operation the assessments will gradually, but certainly, rise to their fair and proper figures, and an incidental and adventitious, but none the less desirable, result will be that the Revenue will correspondingly gain. The figures laid before the country make no allowance for this. They do not embody the probable increase in the Schedule A valuations which will follow the passage of this Bill. Thirdly, and perhaps this is the most important point of all, these figures make no reference whatever to the most important words in Clause 10 which provide that to the ordinary valuation based upon the Schedule A value of the house, such sum as the Commissioners of Inland Revenue think just shall be added for the value of the premises to the actual holder of the licence. When all these considerations are taken into account, I think we may disregard *in toto* these long tables of figures. With the Amendments already announced and foreshadowed in this clause, the Government adheres to it as a reasonable and equitable solution of the problem with which it deals.

MR. BOWLES (Lambeth, Norwood) said the conditions under which they had been discussing the Bill were such as, in his opinion, were likely to render the House of Commons ridiculous in the eyes of the country. They were certainly such as had prevented them from discussing, as they ought to have discussed, many vital points in the machinery of the Bill. The Committee was therefore very much to be congratulated on the fact that by the arrangement to which they had consented they had at least been able to make some real inquiry into the true meaning and effect of the Government's proposals so far as they regarded compensation. The Amendment raised a question of very great importance, because upon it they were really able to gauge in what spirit and with what underlying motive hon. Gentlemen opposite were supporting the Bill. The question here was not a question of politics or even of temperance; the main pillars of the Bill—the compulsory reduction of licences, local option, and the time-limit—had been passed, and the sole question of considerable importance which remained

in what spirit and temper the Government and hon. Gentlemen opposite intended to deal with the interests of those affected by the measure. So far as he had been able to observe all through the Bill, and to everyone, with one or two exceptions, who had spoken had agreed for various reasons and on different grounds that the subsection as it stood needed to be must receive very serious consideration; and for his part, having carefully considered the matter, he did not see how it could be seriously denied that it was unjust and unfair. The question was a simple one. It was whether, in assessing the compensation to be paid, they ought to proceed upon the market value of the interests destroyed or upon a more or less arbitrary—and, as he thought, unjust—assessment by public officials. The subsection proceeded purely upon an arbitrary assessment. The thing to be taken into consideration was not the real market value of the property which was destroyed. That was carefully excluded from consideration, and the total value of the premises as assessed under Schedule A of the income-tax was alone to be considered. The rental value of the premises which it was assumed the brewers would have if the licence were withdrawn was to be deducted, and the difference was to be capitalised into a sum which would purchase an annuity at 4 per cent. interest for the remainder of the reduction period. The method of ascertaining the value of a house was an unreal, unjust, and false method. There was only one way to arrive at a just value, and that was to find out as nearly as one possibly could the value of the licensed premises as they were about to extinguish on the open market, if the property were put up for sale. The Under-Secretary had the figures which had been supplied by hon. Members on both sides of the House and which went to show the really gross and serious injustice which would be occasioned under this subsection, and were not to be relied upon because they omitted certain important particulars as to how the value of the licence had been arrived at, such as statements as to trade, and so on. Under the Act of 1904 they got, or might get as nearly as could be, the real market value,

and certainly if that valuation was anything like honourably and reasonably carried out, then it was certain that the compensation proposed under this Bill was grossly and seriously unfair, and they could not expect any body of traders to submit to it as final, if indeed at all. He had some figures as to the compensation actually paid under the Act of 1904, and it was a mere matter of arithmetic to work out what that compensation would have been if made under this subsection. The result was so startling that he made no apology for submitting it to the House. Here were fourteen cases of licences extinguished during the last two years under the Act of 1904. The total sum paid in respect of these fourteen extinguished licences was £15,070, or an average per licence of £1,076. If these same licences, for which these sums had actually been paid in cash, were extinguished year by year during each year of the reduction period, under the proposals contemplated by this subsection, the total amount of compensation for the fourteen licences would be not £15,070 but only £973 all told, or an average per licence of £69 10s. Even if it were said that the valuation under the Act of 1904 was excessive, and grossly excessive, it was impossible for hon. Gentlemen opposite to persuade their fellow countrymen that it had been so grossly excessive as to account for the difference which resulted between the two methods of compensation. It was not reasonable to suppose that under any circumstances licences were worth only £69 10s., which had been compensated for at the average rate of £1,076. Was this reasonable? It was an overwhelming reduction in the scale of compensation to be granted. But they had been told several times by hon. Gentlemen opposite and in clear terms by the Under-Secretary that the result would not be so, because, if this subsection were allowed to come into operation, the trade all over the country would increase their assessments to income-tax under Schedule A. And that appeared to be regarded as a very fair and reasonable proposal. They were to single out a class of traders in the country who would have to increase their assessments under Schedule A.

It was not denied that there were great numbers of persons up and down the country, other than holders of licensed property, who were under-assessed. But it was not proposed to deal with them in any way. The Government singled out the licence-holder, and forced him by their legislation to tax himself at a higher rate than he would be called upon to do if he were engaged in some other trade. The object of an assessment to income-tax was not to indicate the value of a property; it was nothing more than a conventional form to raise taxation. They singled out a locality, and from that locality they had to raise a certain total amount, and, so long as they kept the proportion true between the various interests concerned, it did not matter whether the amount was £100 or £1,000, and the idea that the assessment of a building necessarily or inevitably represented its real rateable value was quite a novelty which had no basis either in theory or in practice. This scheme of compensation certainly seemed to be a great injustice. As had been pointed out, every year as they went on reducing the licences the value of the remaining licences round about would be increased. This increase of value was through the Government's own action in reducing the number of licences; yet at the end of the reduction period they would pay less in point of compensation. Take a public-house which was assessed under Schedule A at a rent of £100, and suppose that its rent unlicensed was taken to be £50, then the remaining £50 was the basis on which compensation would be calculated under this Bill. If that licence were destroyed at the beginning of the reduction period the Commissioners would have to multiply that £50 by 10·563, which was an actuarial figure, and the compensation would be £528, together with an allowance, which was immaterial for the purpose of the argument, for fixtures and disturbance. But should the licence not be taken away until the end of the reduction period, then each year of that reduction period it became more valuable by reason of the reduction of the number of licences round about; yet, instead of its being paid £528, as it would have been if taken in the first year, they would compensate—though it was worth more

by the very operation of the Act—at the rate of something under £50, or rather less than one year's estimated revenue from the house without a licence. That appeared to be a grotesque system of compensation which could not be seriously defended in any quarter of the House. The Under-Secretary had referred to the matter of the tenant's interest and had professed great solicitude for the tenant in a licensed house. Unless the whole information he had been able to gather and the whole set of statements which had been made on behalf of the trade were grossly and ludicrously wrong, if the whole compensation to be granted under the clauses were to be given to the tenant solid, he would still be worse off than he was now under the Act of 1904, and it was idle for hon. Gentlemen opposite to pretend that the interest of the tenant under the Bill was going to be better safeguarded.

MR. HERBERT SAMUEL: I do not think the hon. Member quite appreciates that the tenants' compensation has nothing whatever to do with Schedule A value. It is additional and beyond that.

MR. BOWLES asked where it came from. The only compensation was Schedule A, except such a sum as the Commissioners of Inland Revenue might think it just to add as compensation for the licence-holders' loss of business. Was it likely that the Commissioners of Inland Revenue, who had not the faintest conceivable interest in the matter of the licence-holders' loss of business, were likely to take any particular pains to deal with the matter in a way that was really commensurate with the loss inflicted? If the hon. Gentleman really meant to compensate the tenant he ought to make some genuine proposals in the Bill which would show on what sort of scale that compensation was to take place. Merely to say that it should be left to the discretion of the Board of Inland Revenue might mean anything or nothing. The real objection felt opposite to real and genuine compensation on the market value at the moment to the man whose property was violently taken away against his will, was that, although that would be the just, and the only just way of dealing

*Mr. Bowles.*



with the matter, it might interfere with that tremendous and progressive scheme of destruction which they regarded as essential to their temperance principles. He could well understand hon. Gentlemen maintaining that reduction was an important matter in the public interest, but fair and equal justice on the part of the State to every class of its citizens was of far greater importance, and would be found to be so as time went on, because he believed the compensation clauses of this Bill would inflict genuine and real hardship upon both the tenant and the licence-holder. So far no answer whatever had been given to those who held that if they were going for a public purpose to deprive any man of a business which he was carrying on lawfully and without misconduct, they were bound to pay, not some sum to be decided in a back room in somebody's house and dependent upon a perfectly valueless basis of assessment to income-tax, but the real and actual value in the market at the moment of extinction of the business.

MR. MOND (Chester), who was indistinctly heard, said it appeared to him that their opponents must have a bad case when they put forward the remarkable argument that the Commissioners of Inland Revenue, who had the duty cast upon them of assessing compensation, would not do it. Under the Act of 1904 the whole of this matter, in default of agreement, was left to the Commissioners of Inland Revenue, though, he admitted, with an appeal to the High Court. If they were only allowed to speak their minds, tenants and managers would soon say that they would rather commit themselves to the care of the Commissioners than to the tender mercies of the brewers. It was perfectly ridiculous to tell them that this provision of the Bill was not welcomed by the tied-house tenants throughout the country. All the statistics put forward by the trade had been vitiated by the same mistake—they all went on the present assessment. They had made the trade a very fair proposition. They were to assess themselves at what compensation they wanted. This was a domestic arrangement. If the trade wanted to get more in the form of compensation, let them raise their assessment. But very likely it would suit them

better to take less compensation, and at the same time, to pay less income-tax. They could arrange it that way if they liked. Why was it so immensely unfair? What seemed to him very unfair was that they who did not own licensed premises, had to pay income-tax on their profits and were not allowed to escape that assessment in the easy way in which gentlemen who owned licensed houses seemed to have escaped so far. They were not assessed in a fancy way. They were assessed on their balance sheets.

LORD R. CECIL: The hon. Member is confusing Schedule A and Schedule D.

MR. MOND said he was not confusing Schedule A with Schedule D. He did not see why under Schedule A they should escape their fair share of taxation any more than under Schedule D. They made their assessment at what they would like the compensation to be. It might be a bad or a good arrangement, he was not expressing an opinion on that subject, but it was quite useless to take the present assessment as a basis. The right hon. Gentleman the Member for St. George's, Hanover Square, spoke with very great authority on compensation and arbitration cases, but like some others who had had very large experience, in these cases their real commonsense judgment had gone for a walk. The weakness of the Kennedy judgment—he spoke with all deference of a Judge—was that it included in the valuation of licensed premises the wholesale profits of the brewer, on the assumption that if the houses were closed he would sell less beer. But that might not be the case. The brewer might sell the beer somewhere else. Take an analagous case. If they were assessing for town improvement a baker's shop and the shop was owned by a flour-miller, would any arbitrator take the profit made by the miller into consideration or merely the retail profit made by the baker as a baker? The miller obviously would not lose his sale of flour because the shop was taken away. He might sell the same amount to a shop in the next road. As a matter of fact he believed it was not the common practice in making valuations for public improvements to take

in the wholesale profits at all. If it had been, there would never have been any necessity to go to Mr. Justice Kennedy and ask him what it meant. Who went to Mr. Justice Kennedy? The Law Officers of the Crown, instructed by the Inland Revenue Commissioners, who did not know what the Act meant, who evidently thought it meant something very different from what Mr. Justice Kennedy decided, and who for two years previously had decided a large number of cases on a different basis. The experience of the Act of 1904 showed that market value was not easy to define. The Government had adopted an infinitely easier method of dealing with the matter, and they had heard no argument from the other side to show that it was unfair. They were ready to listen to argument, and there was no idea of vindictiveness in this measure. No; the Member for Walton laughed, but the hon. Member would not accuse him of being vindictive or of wishing to desire to rob the Member for York or anybody else.

MR. F. E. SMITH: Merely for political reasons.

MR. MOND said that politically it was very foolish to be vindictive.

MR. G. D. FABER assured the hon. Member that he would not rob him because he was not interested in the trade.

MR. MOND said he was very glad to hear it for the hon. Member's sake. There was no desire to inflict injustice on any section of the community. The supporters of the Bill had been accused of being confiscators, spoliators, and thieves.

AN HON. MEMBER: So you are.

MR. MOND said they never yet had had any statement showing what the clause would actually do. The hon. Member for Walton himself had given them some figures which suffered from exactly the same vice as the others he

*Mr. Mond.*

had been criticising. How could they be asked as business men to accept the figures of a trade which could not even take the trouble to read carefully the clause, and base its estimates on the clause as it stood and not on a clause in their own wild imagination? With regard to the future, compensation and monopoly value had gone hand in hand under the Act of 1904, and they would naturally go hand in hand again under any new Act. It would be really worth while to consider this question carefully. The larger the amount of compensation the larger the amount of monopoly value in the future, and the smaller the amount of compensation the smaller the amount of monopoly value in the future. Would they prefer a larger compensation levy, and the same amount of compensation? Obviously what the right hon. Gentleman's Government wanted to do was to reduce licences more rapidly than they were being reduced to-day. They thought their Act would lead to a reduction of 2,500 a year. That figure had not and could not be reached on the present assessment scale and compensation levy. What was wanted was a reduction of licences, and the question of compensation was really a domestic question for the trade itself. Did the trade prefer the present scale of compensation and a higher compensation levy, or did they prefer a lower scale of compensation and the present compensation levy?

MR. CAVE (Surrey, Kingsthorpe) asked whether the hon. Member had authority to offer the former alternative?

MR. MOND said he had not. He was asking for information, and if they got the information it would facilitate discussion of a question which all reasonable people would like to see settled in a manner satisfactory to all parties.

And, it being Five of the Clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress: to sit again upon Tuesday next.

House adjourned at Five o'clock.

## HOUSE OF LORDS.

*Monday, 26th October, 1908.*

## PRIVATE BILL BUSINESS.

Education Board Provisional Orders  
 Education (Cornwall, etc.) Bill [H.L.]  
 Read from the Commons agreed to.

## RETURNS, REPORTS, ETC.

## TRADE REPORTS: ANNUAL SERIES.

- a. 4153. Spain (Bilbao).
- b. 4154. Brazil (Brazil, Supplemen-  
tary).
- c. 4155. Russia (Riga).

## INEBRIATES ACTS (IRELAND.)

Fourth Report (with Appendices), of  
 Inspector for Ireland under the Acts  
 of the year 1907.

## UNEMPLOYED.

Statement relative to certain loans  
 sanctioned by the Local Government  
 Board with respect to which application  
 for sanction has been made to them.

Presented (by Command), and ordered  
 to lie on the Table.

TRANSVAAL GOVERNMENT GUARAN-  
TEED LOAN.

Treasury Minute, dated 21st October,  
 1908, guaranteeing the further issue of  
 £1,000,000. Transvaal Treasury Bills.

## PAWNBROKERS (IRELAND.)

Returns from the City Marshal of  
 Dublin for the year 1907.

POLLING DISTRICTS (COUNTY  
BOROUGH OF HUDDERSFIELD).

Order made by the council of the  
 county borough of Huddersfield dividing  
 the several wards of the borough into  
 polling districts.

Laid before the House (pursuant to  
 Order), and ordered to lie on the Table.

## OLD-AGE PENSIONS ACT, 1908

Old-age Pensions Regulations, 1908;  
 laid before the House on the 15th instant,  
 and ordered to be printed. [No. 212.]

VOL. CXCIV. [FOURTH SERIES.]

## SWEATED INDUSTRIES.

LORD AMPHILL rose "to ask  
 whether His Majesty's Government have  
 considered the evidence taken before,  
 and the Report of, the Select Committee  
 which was appointed by the House of  
 Commons to consider and report upon  
 the conditions of labour in trades in which  
 home work is prevalent, and the proposals,  
 including those for the establishment of  
 wages boards and the licensing of work  
 places, which have been made for the  
 remedying of existing abuses; and  
 whether having regard to the recom-  
 mendations made by the Committee in  
 favour of legislation at an early date to  
 secure the establishment of wages boards  
 in selected trades, and to make other  
 provisions for improving the conditions  
 of home workers in sweated industries,  
 it is the intention of His Majesty's  
 Government to introduce or to facilitate  
 the progress of legislative measures to  
 carry out such recommendations."

The noble Lord said: My Lords, I am  
 sorry that my Question should be the  
 occasion of a meeting of the House which  
 would not otherwise have taken place,  
 but I could not foresee, of course, that  
 such would be the case. I desire to ask  
 His Majesty's Government whether they  
 intend to take any action on the Report  
 of the Select Committee of the House of  
 Commons in regard to home work.  
 Much can be said on this subject, but  
 personally I intend to say very little.  
 My object is merely to obtain the bare  
 information which I ask for in the Ques-  
 tion on the Paper. I shall leave it to  
 others more competent than myself, and  
 with a better right to speak on the  
 subject, to deal with the intricate  
 economic and social aspects of the  
 question either on this or some more  
 appropriate occasion. I am sorry that  
 my noble friend Lord Milner, who is  
 particularly interested in this question,  
 cannot be in the House as he is abroad,  
 but I am glad to see that the noble Earl  
 who took a leading part in this question  
 some eighteen years ago, (the Earl of  
 Dunraven), and my noble friend Lord  
 Lytton are both here, and from them  
 your Lordships might expect, either to-  
 day or on some future occasion, to hear  
 much that is valuable and interesting.

Your Lordships have, presumably,  
 read during the recess the Report of the  
 Select Committee of the House of

Commons, and I would only ask for permission to remind you of two or three salient passages. The first is that no marked diminution of the evil of sweating has taken place since the Dunraven Committee reported in 1890. What the Committee say is that they are unable to find proof, either that it has increased or decreased. Secondly, the Committee state that sweating still exists in such a degree as to call urgently for the interference of Parliament; and, thirdly, there is the statement that the Committee regard it as extremely desirable that the subject referred to them should be dealt with by legislation at an early date. I think your Lordships will agree with me that we have cause to be ashamed, both as a nation and in Parliament, that eighteen years have been allowed to elapse since the Committee appointed by this House and presided over by the noble Earl, reported that the evils of sweating could hardly be exaggerated—that those eighteen years have been allowed to elapse without any effective remedy being applied, or without any very determined attempt being made to do so.

Surely, my Lords, it is a blot on our civilisation and humanity—that humanity of which, in so many respects, we are justly proud—that such an evil should exist at all, and still more, that it should have continued to exist for so long. It is my distinct impression that there is no depth of human misery so profound as that of the lot of the victims of sweated industries. It is a life of ceaseless, grinding, monotonous toil, commencing from tenderest childhood and lasting to the grave, and that in squalid dens and evil surroundings, with never the slightest taste of the joy of life or of that elementary satisfaction which the hunted savage even can derive from an occasional full meal, or from the healing influences of nature and sunshine. And to what end all this ceaseless, unending toil? For no other end than to maintain the barest vitality in poor, stunted, suffering bodies; for such is the fundamental instinct of nature, that love of life will not yield even to the greatest suffering.

I cannot believe that the sufferings of the victims of pestilence, famine, fire, and flood, wherever such calamities occur, are greater than those of these poor people. After all, those calamities are

*Lord Amptill.*

but incidents in an otherwise normal existence. Yet we as a nation are always prompt with sympathy, with succour, with material help, even when these calamities occur in distant lands. Again, I doubt whether those who are subjected to battle, to murder, to torment on account of religious or radical persecution, endure more than the workers in sweated industries. After all, their agony is more short lived. But here, again, we as a nation are ready to do anything, to risk much, in order to help them. It is only in the case of this greater, certainly equal, suffering which exists in our own midst that we do nothing. There is no popular sympathy or indignation, there are no clamorous appeals to Parliament, there is no eloquent advocacy in Parliament. Surely, my Lords, as a nation we neglect in a very strange manner the maxim that charity begins at home.

It would be deplorable—I think your Lordships will agree with me—if the interest in this all-important question which has lately been aroused in various ways, notably by the Sweated Industries Exhibition, and, more particularly, by the Report of the House of Commons Committee to which my Question refers—were allowed once more to die out as it did before. That interest has been aroused by the devoted and strenuous work of philanthropists and social reformers, who had an uphill task seeing that they have none of the advantages of possessing a political party or other widespread organisation at their backs. I gladly admit that my own interest in the subject, my own feelings of sympathy and indignation, were first aroused by the works of a lady whose name must be well-known to your Lordships. I refer to Miss Olive Malvern, and particularly to her books entitled “The Soul Market,” and “Baby Toilers.” The heroic enterprises of this lady in the cause of philanthropy more particularly interested me from the fact that she is not an English woman, but is of Indian birth. The interest which these books aroused in my mind naturally led me to seek for further information in such classic hand-books as that of Messrs Cadbury and Shann, in the very admirable Fabian tracts which must also be familiar to your Lordships, and, finally, in the records of Parliament. Ha



Majesty's Government are engaged on a policy which is primarily one of social reform, and I would venture to ask the noble Lord who will reply for the Government whether, in his opinion, or in that of His Majesty's Government, there is any branch of social reform which calls more urgently for attention than the lot of the victims of sweated industries.

\*THE LORD PRIVY SEAL AND SECRETARY OF STATE FOR THE COLONIES (The Earl of CREWE): My Lords, my right hon. friend the Home Secretary has asked me to reply to this Question rather than leave it to be answered departmentally, because, as we understand, the noble Lord's object was not so much to discuss the very important question with which his query deals as to ascertain what the intentions of His Majesty's Government are in the direction of legislation. The noble Lord has not over-stated the importance of this question, which in all its aspects, I think, appeals to the sentiments of humanity of every Member of both Houses without distinction of party. That was made very clear by a debate which took place in the other House towards the end of February of this year when the Sweated Industries Bill was brought in by a private Member. A general measure of sympathy was expressed with the actual Bill, accompanied, however, by a very considerable degree of nervousness as to the particular remedy which the Bill proposed. I dare say some of your Lordships may have read the debate. Though, as I say, the sentiment of sympathy was a unanimous one, yet marked differences of opinion, by no means following the ordinary lines of party discussion, were expressed by Members of the other House.

It was, I think, generally agreed that for the system of mere cheapness in these industries there was nothing to be said on the ground of economy, any more than on the ground of humanity. That, I think, was common ground. It was generally agreed that these miserably low wages do not really mean in the proper sense cheap production, and there was a feeling that something ought to be done to put a stop to the system. The poor people who suffer under these disabilities cannot help themselves in the way in which other trades have helped themselves, by organisation. That is a cardinal fact in

the whole situation. If they could organise as other trades have organised the question would settle itself; but that, owing to the conditions of work for one thing, is primarily impossible, and it is rendered less possible still by the differences of race and by the class of those who are subjected, or, indeed, subject themselves to these lamentable conditions of work.

The noble Lord, in his Question, asks us in so many words whether, having regard to the recommendations made by the Committee in favour of legislation at an early date to secure the establishment of wages boards in selected trades and to make other provisions for improving the conditions of home workers in sweated industries, it is the intention of His Majesty's Government to introduce, or to facilitate the progress of, legislative measures to carry out such recommendations. I wish I could give an answer to the noble Lord, but I am in fact not in a position to do; and, if he comes to think of it, I think he will see that his Question is not, I will not say a reasonable one, but one to which he could expect to receive a definite reply. We are now in the progress of an autumn session, and we still find ourselves with two of the principal measures of this year's legislative work suspended in the balance. In these circumstances I think the noble Lord will agree that it is hardly fair to suppose that I at this moment, speaking on behalf of the Government, can make any indications whatever of what our political attempts will be next year.

We have been told sometimes—it is not for me to say whether there is any colour for the charge—that our zeal for social reform has led us to ask Parliament to do more than it can reasonably be asked to perform within the period of any single session. We have been told so this year not for the first time, and, consequently, we are bound to walk warily in that respect, and even if we agree that regarded as a measure of social reform this, as the noble Lord says, yields in importance to no other, yet it would not be possible for us at this time of the year to make any promise of the kind which the noble Lord asks us to make. I am perfectly certain, and I think it was evident to anybody who read my right hon. friend's

speech in the House of Commons in February last, that he has the matter very sincerely at heart. At the same time it would be deceiving ourselves to pretend that this is an uncontroversial question. The remedies of which the noble Lord speaks, not to say anything at this moment about their merits, are certainly not remedies which will be accepted as a matter of course by all. Legislation on the matter will be a complicated, long, and a difficult process, and in these circumstances I must ask the noble Lord to relieve me from the necessity of giving anything like a definite answer to the Question he has put.

\***EARL CROMER**: May we understand from what the noble Earl has said that His Majesty's Government are not pledged to the principle of a minimum wage fixed by law?

\***The EARL OF CREWE**: That is undoubtedly so. If the noble Earl will read my right hon. friend's speech he will see that he stated so in so many words in the debate to which I have alluded.

\***EARL CROMER**: And the matter remains in the same way at present?

\***The EARL OF CREWE**: Yes.

**The EARL OF DUNRAVEN**: My Lords, I think your Lordships will be grateful to my hon. friend for having asked this Question, for this House has not been second to any in the sympathy it has shown for the lowest class of this country, commonly known as sweated labour. I do not think the noble Lord has in any degree exaggerated the sad conditions under which these unfortunate people try to make a living. At the same time, I think that he perhaps exaggerated a little in saying that nothing had been done to better their conditions during the last eighteen years. For although their circumstances are very far indeed from what they ought to be, I do not think there can be any doubt that the factory legislation that has taken place during the last eighteen years has benefited them at any rate to some extent.

As the noble Earl opposite has said, this is a most difficult and complicated question. Perhaps the main factor in the case is the thorough registration and proper inspection of all places where this

*The Earl of Crewe.*

class of labour is carried on. That brings one at once against a very delicate question, as to how far it is legitimate and proper to interfere with people in their own dwelling-rooms, for a great deal of this work is carried on in the rooms in which the people dwell. The noble Earl the Leader of the House is perfectly right in saying that the main difficulty in the case is that these trades are totally unorganised. They are unorganised for the reasons which the noble Earl gave, and, I think, mainly for another reason why he did not give—namely, that they are constantly subject to the influx of the lowest class of foreign labour, which renders organisation practically impossible.

I agree with the noble Earl that it is, perhaps, somewhat unreasonable to ask for a definite answer at the present moment as to what steps the His Majesty's Government intend to take, or whether they intend to take any steps. The programme of His Majesty's Government, especially in matters of social reform, is tolerably overburdened as it is. But I would venture to say that it appears to me that in matters of social reform perhaps the wisest course may be to begin at the bottom, and attempt to remedy those cases in which distress is most severe; and I would express the hope that if His Majesty's Government remain in office for some years, as I have no doubt they will, they will in a future session deal with this matter of sweated labour and make it one of the principal planks in their programme for the session.

House adjourned at five minutes before Five o'clock, till Tomorrow, half-past Ten o'clock.

## HOUSE OF COMMONS.

*Monday, 26th October, 1908.*

The House met at a quarter before Three of the Clock.

### PETITIONS.

#### LICENSING BILL.

Petitions against: From Brixworth; Milton; Moulton (two); Roade; and, Rothwell; to lie upon the Table.

Petition from Bethesda, in favour; to lie upon the Table.

**WOMEN'S ENFRANCHISEMENT BILL.**

Petitions in favour: From Cocker-mouth; Keswick; and, Workington; to lie upon the Table.

**RETURNS, REPORTS, ETC.****INEBRIATES ACTS (INSPECTOR'S REPORT) (IRELAND).**

Copy presented, of Fourth Report of the Inspector for Ireland for the Inebriates Acts for the year 1907 (with Appendices) [by Command]; to lie upon the Table.

**PAWNBROKERS' RETURNS (IRELAND).**

Copy presented, of Returns from the City Marshal of Dublin for the year ending 31st December, 1907 [by Act]; to lie upon the Table.

**TRADE REPORTS (ANNUAL SERIES).**

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 4153 to 4155 [by Command]; to lie upon the Table.

**LONDON (EQUALISATION OF RATES) ACT, 1894 (ACCOUNTS UNDER SECTION 1 (7) OF THE ACT).**

Return presented, relative thereto ordered 22nd July; *Mr. Masterman*; to lie upon the Table and to be printed. No. 308.]

**POLLING DISTRICTS (COUNTY BOROUGH OF HUDDERSFIELD).**

Copy presented, of Order made by the Council of the County Borough of Huddersfield dividing the several Wards of the Borough into Polling Districts [by Act]; to lie upon the Table.

**SHOP HOURS ACT, 1904.**

Copy presented, of Order made by the Secretary for Scotland providing for the early Closing of certain classes of Shops in the burgh of Coatbridge [by Act]; to lie upon the table.

**BOARD OF EDUCATION.**

Copy presented, of List of Certified Schools for Blind, Deaf, Defective, and epileptic Children in England and Wales on the 31st July, 1908 [by Command]; to lie upon the Table.

**PUBLIC REVENUE (INTERCEPTION).**

Return presented, relative thereto [ordered 14th October; *Mr. Bowles*]; to lie upon the Table, and to be printed.

**POST OFFICE (LIFE INSURANCE).**

Copy ordered, "of Report of, and Evidence taken by, the Departmental Committee on the encouragement of the Life Insurance system of the Post Office." —(*Mr. Sydney Buxton.*)

**QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.****Repairs to Ships.**

**MR. MITCHELL-THOMSON** (Lanarkshire, N.W.): To ask the First Lord of the Admiralty, whether the repairs to be undertaken during the winter are to be confined to vessels requiring repairs in the nature of an extensive refit.

(*Answered by Mr. McKenna.*) The repairs will not necessarily be confined to any particular class of work, but will be arranged with relation to the degree of urgency and importance of the respective ships.

**MR. MITCHELL-THOMSON:** To ask the First Lord of the Admiralty, whether he will state the names of the vessels upon which repairs are to be undertaken during the winter, which have not already appeared in the Estimates.

(*Answered by Mr. McKenna.*) It is not the present intention to commence during the coming winter large repairs to any ship whose name has not appeared in the Navy Estimates for the current year.

**Weekly Half-Holiday in Fermanagh Post Office.**

**MR. FETHERSTONHAUGH** (Fermanagh, N.): To ask the Postmaster-General, if he has yet concluded his inquiries into the question of allowing a weekly half-holiday and reducing the attendance on bank holidays; and how soon are the sub-offices in county Fermanagh likely to have the benefit of a change in the present practice.

(*Answered by Mr. Sydney Buxton.*) Steps are being taken to restrict the attendance at all offices on bank holidays

as far as possible, and the sub-postmasters in county Fermanagh, as elsewhere have been duly informed of the conditions on which a weekly half-holiday can be granted under the terms of the Parliamentary Committee's Report. All applications for that concession are dealt with as they arise.

#### London and Paris Mails.

MR. PIRIE (Aberdeen, N.): To ask the Postmaster-General if he would give the distances between London and Paris, respectively, via Dover and Calais and via Folkestone and Boulogne; and if he would state the extra mileage covered daily and yearly by the mail services between these two capitals owing to the carrying of the mails over the longer of the two routes, stating also the number of mail services daily by each route.

(Answered by Mr. Sydney Buxton.) The distance between London and Paris via Dover and Calais is 287 statute miles, and by Folkestone and Boulogne 259 statute miles. The number of mail services daily by each route is; to Paris via Dover and Calais three on week-days; to Paris via Dover and Calais two on Sundays; and via Folkestone and Boulogne two on week-days only; to London via Calais and Dover three daily; and via Folkestone and Boulogne one daily. If all the mails could be conveyed by the Folkestone-Boulogne route (which is not the case) and the total number of services was the same as at present, there would be reduction in mileage traversed of 168 miles a day or 59,864 miles a year.

#### Companies (Consolidation) Bill.

MR. HYDE (Wednesbury): To ask the President of the Board of Trade, whether it is the intention of the Government to proceed further this session with the Companies (Consolidation) Bill.

(Answered by Mr. Churchill.) Yes, Sir, it is the intention of the Government to proceed with the Companies (Consolidation) Bill, and I have every hope that it will pass into law this session. The Bill has undergone careful scrutiny by a very strong Joint Committee of both Houses, and in the form recommended by the Committee it will very shortly be introduced in this House.

#### Overtime of Provincial Sorting Clerks and Telegraphists.

MR. JAMES PARKER (Halifax): To ask the Postmaster-General, whether he can state the number of hours overtime worked by the provincial sorting clerks telegraphists during the last financial year.

(Answered by Mr. Sydney Buxton.) The information is not readily available. To obtain it would require separate returns for each district, which would involve considerable work and expense.

#### Licensing Bill—Parliamentary Control of Licensing Commissioners.

MR. STUART-WORTLEY (Sheffield, Hallam): To ask the Prime Minister whether, before Clauses 12 and 14 of the Licensing Bill are reached, he will cause Amendments to be placed upon the Notice Paper giving effect to his promise that those clauses should be so modified as to secure that the proceedings of the Licensing Commissioners should be effectually kept under Parliamentary criticism and control.

(Answered by Mr. Asquith.) The necessary Amendments to give effect to this have been placed on the Notice Paper under the name of my hon. and learned friend the Solicitor-General.

#### Suggested Deportation of Alien Unskilled Workers.

MR. FETHERSTONHAUGH: To ask the Secretary of State for the Home Department, whether there are any statistics in the possession of the Department showing the numerical proportion of the unskilled alien workers at present employed in Great Britain to the British unemployed and, as most of these aliens come from countries much nearer than China, will he consider the advisability of following the South African precedent and restoring them to their respective domiciles of origin.

(Answered by Mr. Secretary Gladstone.) The answer to both Questions is in the negative.

#### Deaths Caused by Motor Vehicles.

MR. MACKARNESS (Berkshire, Newbury): To ask the Secretary of State for the Home Department whether he has any information at his disposal showing



the number of accidents and deaths connected with motor vehicles during the first six months of this year in England and Wales, or in either.

*(Answered by Mr. Secretary Gladstone.)*

No, Sir. I can only give the figures for London. May I refer my hon. friend to two Answers which I gave to the hon. Member for the Mansfield Division on 21st October.

#### Speed of Motor Vehicles.

MR. MACKARNESS: To ask the Secretary of State for the Home Department whether the police have any instructions to enforce any particular speed limit upon motor vehicles in the main thoroughfares of the metropolitan area; and, if so, can he state what those instructions are.

*(Answered by Mr. Secretary Gladstone.)*

The speed of motor omnibuses and other heavy motors varies from six to twelve miles an hour, according to the construction of the vehicle, under regulations made by the Local Government Board. The speed of light motors is subject to the maximum of twenty miles an hour, save in royal parks, where it is ten, and in certain other places, where the speed of all motor traffic is restricted to ten miles an hour by order of the Local Government Board, made at the request of the local authority. The speed of tramcars is regulated by the Board of Trade, and varies from four to sixteen miles an hour, according to the circumstances of each portion of the track. The police have instructions to enforce all these limits as effectively as possible.

#### Alleged Understaffing of Prisons.

MR. C. DUNCAN (Barrow-in-Furness): To ask the Secretary of State for the Home Department whether an augmentation of the staffs in prisons is necessary to adequately cope with the work; whether he is aware that in some cases prisoners are detained in their cells for lack of officers to supervise them in their work outside; and whether he will take some action in the matter with a view to relieving to some extent the present acute state of unemployment.

*(Answered by Mr. Secretary Gladstone.)*

I have no reason to think that any general

augmentation of the prison staff is necessary. If, from a temporary rise of population or other cause, the staff in any prison becomes insufficient temporary assistance is obtained. Except in such special circumstances the staff is sufficient to supervise prisoners eligible for employment outside their cells, and I should not be justified in adding to it.

#### Unemployment in London, Berlin and New York.

EARL WINTERTON (Sussex, Horsham): To ask the President of the Board of Trade if any accurate comparable statistics are obtainable relative to the amount of unemployment in Berlin, London and New York for September last.

*(Answered by Mr. Churchill.)* No, Sir.

#### Unemployment Returns.

MR. CHIOZZA-MONEY (Paddington, N.): To ask the President of the Board of Trade if, in view of the importance of the subject matter, he can see his way to issue as a monthly Parliamentary White Paper an amplification of the Unemployment Returns issued in the Board of Trade monthly gazette, with details given separately for such of the trade unions which report to the labour department.

*(Answered by Mr. Churchill.)* It would not be possible for me to publish particulars as to the percentage unemployed in each of the 257 trade unions which make monthly Returns of employment to the Board of Trade, as they are obtained upon the understanding that individual Returns will not be disclosed.

#### Imports of British Cloths into Canada.

MR. CHIOZZA MONEY: To ask the President of the Board of Trade if his attention has been directed to the fact that the Canadian Manufacturers' Association is officially representing to the Canadian Government that British manufacturers are taking advantage of the Canadian public by exporting to Canada cloths which are shoddy and rubbish; whether he is aware that it was owing to similar representations that the Canadian Manufacturers' Association in 1904 was able to obtain the practical abolition of the preference on British Woollens, the minimum duty on which is now as high as 30 per cent.; and

whether he is taking any steps to counteract the renewed misrepresentations.

(*Answered by Mr. Churchill.*) My attention has been directed to this matter. The duty leviable on British woollen cloths and clothing is correctly stated. I have no reason to believe that the allegations which appeared in the official organ of the Canadian Manufacturers' Association have any foundation; and I understand that the Secretary of the Association has cabled an expression of regret for any injustice that may have been done to British manufacturers by the publication of them. I am of opinion, however, that such misrepresentations can best be met by action on the part of the chambers of commerce in the home district concerned.

#### Cotton Trade Dispute.

MR. FELL (Great Yarmouth): To ask the President of the Board of Trade if he proposes to take any steps in the near future to try and conciliate the various interests of those engaged in the cotton industry and to end the lamentable position now prevailing.

(*Answered by Mr. Churchill.*) The course and consequence of this grave dispute have from its beginning been a subject of daily preoccupation to me, but I have at present no statement to make to Parliament upon it.

#### Unemployment in Germany.

MR. GOULDING (Worcester): To ask the President of the Board of Trade whether he can state what is the information on which he bases his conclusion that there is more unemployment in this country than Germany.

(*Answered by Mr. Churchill.*) There are no comparable statistics of the degrees of unemployment in different countries, which vary relatively from time to time; and my statement was based upon a general survey of the conditions which appear to prevail at the present moment in Great Britain and Germany so far as they are known to the Board of Trade. These conditions have in Great Britain been peculiarly aggravated by the coincidence of an acute depression and protracted labour disputes.

#### Dismissal of Midland Railway Goods Guards.

MR. HUDSON (Newcastle-on-Tyne): To ask the President of the Board of Trade if his attention has been called to the large number of dismissals of the highest paid goods guards by the Midland Railway Company, and whose duties are now being performed by lower paid men; and can he say what are the number of hours per day and per week this grade of men has recently been working.

MR. HUDSON: To ask the President of the Board of Trade if he can say whether the reduction in the standard of wages now being received by Midland Railway guards owing to a large number of the highest paid men having been dismissed is, or is not, a wages question within the meaning of the agreement under which the conciliation boards were recently constructed; and whether the Midland Railway Company have made any application for their operation in this instance.

(*Answered by Mr. Churchill.*) I will answer these two Questions together. My attention has been drawn to the dismissals of certain goods guards on the Midland Railway, and I have been in communication with the railway company and with my hon. friend the Member for Derby. I understand that the matter has been already discussed between the representatives of the company and of the men at meetings of the sectional and central conciliation boards, and that it is still under consideration, and I am not without hope that an arrangement may be arrived at.

#### Unemployed Grant to Ireland.

MR. NANNETTI (Dublin, College Green): To ask the President of the Local Government Board what was the amount of the grant from the Unemployed Fund voted to Ireland for the work of the distress committees for the year 1906-7; what was the amount voted to each of the various distress committees who put the Unemployed Act into operation, and the amount subscribed from the rates and from voluntary subscriptions; what was the duration of employment to each applicant in each district, and the number of persons who registered themselves; and whether he can say how soon this year a grant will

be made from the Unemployed Fund to the distress committees, and how much to Ireland the grant will be in relief of the want of employment in that country.

(*Answered by Mr. Birrell.*) My right hon. friend has asked me to reply to this Question. The amounts granted to Ireland were: in the year 1906-7, £11,050, and in the year 1907-8, £4,500. Some particulars of the grants to distress committees will be found in the annual Reports of the Local Government Board for those years. I have sent to the hon. Member a statement showing the amounts in detail. The Board are not in possession of the required particulars as to voluntary subscriptions, subsidies from local rates, the duration of employment of each applicant, and the number of registered applicants, but the Board will make it a condition of further grants that full information upon these points shall be furnished by the local bodies. Grants are being made from this year's Vote according as applications are received and as the necessity is shown to arise. I understand that the Treasury have not yet allocated the current year's provision between the three countries, but I may say that every application from Ireland will be dealt with upon its merits and with due regard to the relative necessities of the districts in which there is abnormal distress from want of employment.

#### Unemployed Grant to Belfast.

MR. GEORGE CLARK (Belfast, N.): To ask the President of the Local Government Board what proportion of the £300,000 to be given for the relief of unemployment will be allocated to Belfast.

(*Answered by Mr. Birrell.*) The sum of £1,000 has already been allotted to Belfast out of this year's Vote, and the question of making a further allocation will be considered in due course.

#### Fishery Cruiser for the Bahamas.

MR. CARLILE (Hertfordshire, St. Albans): To ask the First Lord of the Admiralty whether, in view of the fact that in the month of May, 1908, eight Bahamian turtling vessels were seized by Cuban revenue cutters and towed into Cuban ports, the owners being heavily fined and the vessels and crews detained

for three months, the Government is now prepared to send the cruiser to the Bahamas which has been asked for by the Government of those islands.

(*Answered by Mr. McKenna.*) The incident of the seizure of the Bahamian turtling vessels was dealt with on the spot through His Majesty's representative at Havana, and it was therefore unnecessary to send one of His Majesty's ships to Cuban waters. No subsequent incident has rendered the presence of a man-of-war desirable, and it is not therefore proposed to send one, but His Majesty's Government will take all proper steps for the protection of British interests. His Majesty's ship "Scylla" has, however, recently visited the Bahamas at the request of the Governor, but it was with a view to the distribution of relief to the sufferers by the hurricane, and not in connection with the turtling incident.

#### Naval Works—Under-Expenditure caused by Strikes.

MR. BELLAIRS (Lynn Regis): To ask the First Lord of the Admiralty whether he can now state within £25,000 what is the anticipated under-expenditure which has been caused by strikes and out of which £200,000 is to be spent on the earlier commencement of five cruisers and nine destroyers and £73,500 on extra repairs this financial year; and whether, in order to get the full benefit of this extra work, he will see that its effect is not cancelled by savings on other Votes in order to provide a sum of over a quarter of a million sterling for the purchase of two destroyers which are already built and for the salvage of H.M.S. "Gladiator."

(*Answered by Mr. McKenna.*) The figures asked for cannot yet be given. Every endeavour will be made to get the full benefit from this extra work. I must add that my hon. friend's estimate of a quarter of a million sterling is purely fanciful.

#### Admiralty Excess Expenditure.

MR. BELLAIRS: To ask the First Lord of the Admiralty whether he is aware that the expenditure already incurred by the Admiralty on the salvage of the "Gladiator," and on the purchase of two ready-built destroyers announced

last July, involves a sum of over £200,000 sterling which has not yet been provided by Parliament; and whether he will introduce a Supplementary Estimate instead of resorting to the course followed last year when the unexpected expenditure of £200,000 on refrigerating machinery was met by cutting down necessary work elsewhere.

(*Answered by Mr. McKenna.*) I am not aware of the truth of the allegation made in the first part of the hon. Member's Question. It has indeed no relation to the facts. I cannot agree that the hon. Member correctly represents what occurred as to the cooling machinery, nor that a Supplementary Estimate and the cutting down of necessary work elsewhere exhaust all the alternatives.

#### **Trials of New Destroyers.**

SIR GILBERT PARKER (Gravesend): To ask the First Lord of the Admiralty, when it is expected that the trials of the two destroyers recently purchased will be completed.

(*Answered by Mr. McKenna.*) The destroyers in question have not yet been accepted by the Admiralty. The date of completion of trials cannot yet be stated.

#### **Repairing Station for Submarines at Dundee.**

MAJOR ANSTRUTHER GRAY (St. Andrews Burghs): To ask the first Lord of the Admiralty if he can furnish any information with regard to the establishment of a repairing station for submarine vessels at Dundee; and whether any works of a permanent nature are contemplated there, and how many men will be employed.

(*Answered by Mr. McKenna.*) With regard to the first and last part of the hon. Members Question, no information can yet be furnished. The reply to the second part of the Question is in the negative.

#### **The Channel Fleet—Ships Absent.**

MR. HUNT (Shropshire, Ludlow): To ask the First Lord of the Admiralty, what is the largest number of the battleships of the active Channel Fleet which were absent from that fleet at one

time between the 23rd of last September and the 20th of the present month.

(*Answered by Mr. McKenna.*) The reply to the hon. Member's Question is nine.

#### **The Unemployed at Rosyth.**

MAJOR ANSTRUTHER GRAY: To ask the First Lord of the Admiralty how many of the unemployed he intends to employ on the works at Rosyth and other Government stations in Scotland during the rest of the financial year.

(*Answered by Mr. McKenna.*) The Admiralty works in Scotland are carried out by contract, so that the Admiralty can give no direct employment except to a very few men employed on odd jobs.

#### **Docking Accommodation for Submarines on the North-East Coast.**

MR. R. HARCOURT (Montrose Burghs): To ask the First Lord of the Admiralty, whether the Board are contemplating the provision of temporary docking accommodation for submarines on the north-east coast; and, if so, whether the harbours of Arbroath and Montrose have been under consideration in that connection.

(*Answered by Mr. McKenna.*) The reply to the first part of my hon. friend's Question is in the affirmative, and to the second in the negative.

#### **Private Workshops and Naval Repairs.**

MR. RENWICK (Newcastle-on-Tyne): To ask the First Lord of the Admiralty if any, and what, proportion of the repairs to be executed during the winter will be entrusted to private shipbuilding and repairing works.

(*Answered by Mr. McKenna.*) It is not proposed to place any portion of the repairs referred to with private shipbuilding and repairing works.

#### **Marine Insurance—Insurable Interest.**

MR. BOTTOMLEY (Hackney, S.): To ask the First Lord of the Admiralty whether he is aware that a clause is frequently inserted in policies of marine insurance providing that the production of such policies shall be deemed sufficient evidence of insurable interest; and whether, in view of what occurred in



evidence at recent wreck inquiries, he can see his way to introduce a Bill requiring proof of insurable interest in all claims under marine policies, as is done in the cases of fire and life insurance.

(*Answered by Mr. Churchill.*) My right hon. friend has asked me to reply to this Question. The subject of the insurances to which the Question refers is now under my consideration, and I propose shortly to confer with representatives of the interests concerned with a view to deciding what steps, if any, it is advisable to take in the matter.

#### **Rosyth Dockyard Water Scheme.**

MR. BELLAIRS: To ask the First Lord of the Admiralty whether the original estimate of £100,000 for the Rosyth Dockyard water scheme in the agreement made by the Admiralty with the district committee is likely to be exceeded owing to erroneous forecasts as to the strata; and whether he can state what payment in connection with this scheme will fall due this financial year.

(*Answered by Mr. McKenna.*) The original estimate is likely to be exceeded by about £73,000, in consequence of engineering difficulties which have been met with. No payment on account of the scheme will be made this financial year, because the capital cost is paid by a "loan," and the Admiralty only begin to make an annual payment when we get water supplied.

#### **Local Government Scotland Bill.**

MR. EUGENE WASON (Clackmannan and Kinross): To ask the Secretary for Scotland whether he intends to proceed further with the Local Government (Scotland) Bill this session.

(*Answered by Mr. Sinclair.*) Yes, Sir.

#### **Improvement of Main Roads, Sutherland.**

MR. MORTON (Sutherland): To ask the Secretary for Scotland whether he will arrange for a grant of money to the county council of Sutherland for the purpose of improving the 660 miles of main roads in that county, an expense which it is impossible for the overburdened ratepayers to meet out of the local rates; and whether he is aware that the main cause of this expense is the motor traffic.

(*Answered by Mr. Sinclair.*) I regret I cannot hold out any prospect of a grant for the purpose referred to, but my hon. friend is aware that the increased expense of road maintenance alleged to be due to motor car traffic is receiving the attention of the Government.

#### **Whaling Steamer Licences.**

MR. MORTON: To ask the Secretary for Scotland whether the licences for whaling steamers have yet been granted for 1909; and, if not, will he instruct the Fishery Board for Scotland to grant licences for one steamer only to each station, in terms of the recommendation of the Departmental Committee in 1904.

(*Answered by Mr. Sinclair.*) No licences have yet been granted for 1909. The Board's procedure in respect of existing licences will be governed by the provisions of The Whale Fisheries (Scotland) Act, 1907, Section 2 (4.)

#### **Illegal Trawling in St. Andrews Bay.**

MAJOR ANSTRUTHER-GRAY: To ask the Secretary for Scotland whether he is aware that complaints are being made of illegal trawling within the three-mile limit off the east coast of Fife, particularly in St. Andrews Bay; and whether he will take the necessary steps to put an end to these depredations.

(*Answered by Mr. Sinclair.*) Only one complaint has been received since July, and this was attended to. A cruiser has been continually on the fishing grounds off the Fife coast since the 16th instant with the exception of one day.

#### **Crofters' Commission—Applicants Fees.**

MR. DUNDAS WHITE (Dumbartonshire): To ask the Secretary for Scotland if he will state, under the procedure of the Crofters' Commission, what is the usual cost to an individual crofter who makes application to have a fair rent fixed by the Commission.

(*Answered by Mr. Sinclair.*) If a crofter chooses to employ a law agent to act for him, he can pay such fees as may be arranged between agent and client, but under No. 16 of the Rules and Regulations, dated 21st September, 1886 (given at pages 110–113 of the First Report of the Crofters' Commission [Cd. 5247, 1888]), parties before the Commission

may appear personally, or by a law agent, or by a friend. A crofter or a landlord may thus dispense with the services of an agent, which is the usual practice, and all the fees payable are set fourth in the table of Exchequer fees. Page 130 of the said Report shows that these amount to 1s. 6d. for a single fair-rent application. When a number of crofters combine and apply in Form 2 the fees are still less. Thus, twelve applicants pay 12s. on the principal application and 1s. on the copy sent to the landlord, or 1s. 1d. each; and similarly twenty-four applicants pay 25s. altogether, or 1s. 0½d. each.

**Case of Misses Kate and Hannah Nagle at Kildorrery Petty Session.**

MR. WILLIAM ABRAHAM (Cork County, N.E.): To ask Mr. Attorney-General whether his attention has been called to the proceedings at the petty sessions court, Kildorrery, County Cork, on the 14th instant, on the occasion of the hearing of charges brought against Misses Kate and Hannah Nagle, daughters of Mrs. Alice Nagle, an evicted tenant, by the present holder of her farm; and if he will explain why the presiding magistrate adopted the unusual course of refusing an application of the defendants for an adjournment to the next petty sessions court to enable them to employ a solicitor to conduct their defence, which they could not do in consequence of the summonses having only been served upon them at 9 o'clock on the previous night.

(*Answered by Mr. Cherry.*) I have no power to interfere with the action of a magistrate in the exercise of his judicial discretion. I understand, moreover, that in this case the defendants have lodged an appeal against their conviction, and they will, therefore, have full opportunity of testing the validity of the resident magistrate's decision.

**Registration of Title to Land.**

MR. ATHERLEY-JONES (Durham, N.W.): To ask Mr. Attorney-General whether the Royal Commission at present inquiring into the operation of the law governing the registration of title to land is confined in its inquiry to an investigation of the working of the land registry office; and whether there would be any, and, if so, what, objection to the enlarge-

ment of the scope of its functions so as to enable it to inquire whether any further legislation is required to facilitate, and lessen the cost of the transfer of estates in land.

(*Answered by Sir William Robson.*) The Royal Commission is empowered to consider and report upon the working of the Land Transfer Acts, and whether any amendments are desirable. It is not confined merely to an investigation of the working of the local registry office. This is an inquiry of considerable scope, and would not appear to preclude the Commission from reporting in the direction suggested by the Question if they see fit to do so.

MR. REMNANT (Finsbury, Holborn): To ask Mr. Attorney-General if his attention has been called to the resolutions passed at the recent Law Society's conference on the Land Transfer Acts; and if he can see his way to give effect thereto.

(*Answered by Sir William Robson.*) Having regard to the nature and subject matter of the inquiry into the working of the Land Transfer Acts, it is essential that the Royal Commission should be as far as practicable free from prepossessions, and it has been composed with that view, but there is no reason why every view of the subject should not be presented in evidence by those who have special knowledge or interest. The other matters in the Law Society's resolutions appear to be entirely for the discretion of the Royal Commissioners themselves.

MR. REMNANT: To ask Mr. Attorney-General whether in connection with the registration of titles under The Land Transfer Act, 1897, he will consider the advisability of recommendation being made to the Privy Council to exercise the power given to the Council by the Act to revoke the Order applying compulsory registration of title to the county of London, so as to leave property owners free to register or not as they deem best in their own interest.

(*Answered by Sir William Robson.*) The compulsory registration of titles to land in the county of London is, as the hon. Member is aware, the subject of inquiry by a Royal Commission, and it would be

improper of me to anticipate or prejudice their Report by taking the course suggested in this Question.

#### **Reorganisation of the Indian Public Works Department.**

MR. HART-DAVIES (Hackney, N.): To ask the Under-Secretary of State for India whether memorials have been received at the India Office protesting against the proposed reorganisation of the Public Works Department in India, and especially against the proposed discrimination between the imperial and provincial services; and what action, if any, has been taken by the India Office on these memorials.

(*Answered by Mr. Buchanan.*) No memorials of the nature indicated have been received at the India Office since the introduction of the new scheme of reorganisation of the Public Works Department in India.

#### **Boycotting in County Clare.**

MR. MOORE (Armagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the observations of the Lord Chief Justice at the Clare spring assizes, on which occasion the learned judge, referring to the returns of boycotting presented to him by the police authorities, pointed out that these returns comprised eleven cases which were described as instances of minor boycotting, and that in five of these cases people not only declined to associate with or deal with the boycotted families, but the latter were also compelled to go considerable distances for the necessaries of life; whether the cases of these five families have since been retained on the list of persons boycotted in a minor degree; and will he state in what respects their cases differ from others which are included in the category of serious boycotting.

(*Answered by Mr. Birrell.*) The Answer to the first two paragraphs of the Question is in the affirmative. The local police, who are acquainted with all the circumstances, classify the cases of boycotting upon the principles which are fully stated in my reply to a Question put by the right hon. Member for South Dublin on 20th March, 1907.

#### **Appointment of Inspectors of Irish Intermediate Schools.**

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Treasury have ratified the appointment by the Commissioners of Intermediate Education of inspectors for Irish intermediate schools; and, if so, when it is intended to make the appointments.

(*Answered by Mr. Birrell.*) It is intended to appoint inspectors, but the details have not yet been settled. I am not yet in a position to say when the appointments will be made.

#### **Removal of Tumuli from White Hill near Lydford.**

MR. HORNIMAN (Chelsea): To ask the Secretary of State for War whether, recently, thirteen tumuli were removed by the War Office or other military authorities from the top of White Hill, Willsworthy, near Lydford, so that a flagstaff might be erected; if so, whether instructions will be given that, in future, such relics of bygone ages shall, where possible, be preserved.

(*Answered by Mr. Secretary Haldane.*) My hon. friend appears to be referring to an incident which occurred early in 1907, and in regard to which representations were made by members of the Dartmoor Exploration Committee. Notices were in consequence posted up by the military authorities with a view to preventing any further destruction of objects of antiquarian interest, and it is understood with satisfactory results.

#### **Painting of the Royal Barracks, Dublin—The Fair Wages Clause.**

MR. NANNETTI (Dublin, College Green): To ask the Secretary of State for War if he is aware that the Fair Wages Clause of the House of Commons is not being carried out by the painting contractor for the work now being done at the Royal Barracks, Dublin; whether he is aware that the glazing and putting in of panes of glass in the various barracks is also being executed under the standard rate of pay; and will he take steps to see that the Fair Wages Clause is carried out by the contractors on these works.

(*Answered by Mr. Secretary Haldane.*) The matter has been inquired into, and

it appears that the current rate of the district has been and is paid by the contractors, and that the conditions of the contract relating to wages are being properly observed.

**Rebuilding of Windsor Barracks.**

MR. J. F. MASON (Windsor): To ask the Secretary of State for War whether, in view of the threatened scarcity of employment and destitution in the coming winter, the promised rebuilding of the barracks at Windsor is likely to be begun soon; and, if so, whether he is in a position to name approximately the date at which the work may be expected to commence.

*(Answered by Mr. Secretary Haldane.)*  
A further contract has now been made for the completion of the new barrack blocks. I cannot state the date of commencement, as it rests with the contractor.

**Delay in Gazetting Officers to the Territorial Army.**

LORD BALCARRES (Lancashire, Chorley): To ask the Secretary of State for War if he is aware that the delay in gazetting officers to the Territorial Army is causing inconvenience in Lancashire, and that officers accepted several months ago, who have bought their uniforms, served throughout camp, and mastered their drill, are still without commissions; and if the matter can be remedied with some promptitude.

*(Answered by Mr. Secretary Haldane.)*  
I am quite aware that the gazetting of officers to the Territorial Force is a long and tedious process, and all that can be

done is being done to shorten it. Much reference to the commands is involved before the 8,000 names which have to be approved can be settled.

**Ballina Mail Deliveries.**

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Postmaster-General if he will say in what way it would be more costly for the Ballina to Crossmolina mail car to start at 12.30 as compared with 4.30; does the 9.15 a.m. train from Dublin carry letters from Dublin as well as the day mail; and between what hours must letters be posted in order to go by the 9.15 train from Dublin.

*(Answered by Mr. Sydney Buxton.)* If the day mail car were run at the time proposed by the hon. Member a considerably higher subsidy to the contractor would be necessary, as there would be less passenger traffic. The 9.15 a.m. train from Dublin conveys letters arriving in Dublin by the supplementary night mail from England, and letters posted at the General Post Office, Dublin, between 6.15 a.m. and 8.15 a.m., as well as parcels posted at the Amiens Street office up to 8.20 a.m.

**Crown Lands in Carnarvon.**

MR. ELLIS DAVIES (Carnarvonshire, Eifion): To ask the Secretary to the Treasury what is the extent in acres of Crown land in the parishes of Aber, Llandegai, and Llanllechid, respectively, in the county of Carnarvon; and whether he will give in each case, separately, the acreage of the land with the minerals or mineral rights only.

*(Answered by Mr. Hobhouse.)*

Parish.	Crown lands.	Lands in which the Crown owns the minerals only.
Aber - - - - -	<sup>a</sup> Nil	<sup>a</sup> 662
Llandegai - - - - -	Nil	Nil
Llanllechid - - - - -	Nil	5,893



**Contract for Carriage of Mails from  
Bandbridge to Scarva.**

MR. SLOAN (Belfast, S.): To ask the Postmaster-General what is the amount paid annually for the carriage of mails by road between Bandbridge and Scarva, county Down, Ireland; is the contract open for public competition; and, if not, can he say why.

(Answered by Mr. Sydney Buxton.) It is not the practice to publish the amounts paid for mail cart contracts. As regards the second part of the Question, I will have inquiry made and inform the hon. Member of the result.

**Grants to Welsh Secondary Schools.**

MR. BRIDGEMAN (Shropshire, Oswestry): To ask the President of the Board of Education how many secondary schools in Wales and Monmouth are receiving grants under Section 9 of the Welsh Intermediate Education Act as well as the ordinary secondary school grants; and what is the total amount of the two grants, respectively.

(Answered by Mr. Runciman.) It is anticipated that, of the ninety-four intermediate schools in aid of which the Treasury grant under Section 9 of the Welsh Intermediate Education Act, 1889, is payable, ninety-one schools will claim the grant for the school year 1907-8, and will also be entitled to grant under the regulations for secondary schools (Wales) for that year. The total Treasury grant for all intermediate schools for that year was estimated at £24,115 4s., and the aggregate grants under the regulations for secondary schools (Wales) for secondary schools, whether intermediate or not, for the same year was estimated at £53,831.

**Discharges from Dockyards.**

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the First Lord of the Admiralty whether instructions have been given in all departments of the Royal Dockyards, with the exception of the Works Department, that on account of the large number of unemployed workmen in the dockyard towns no workmen must be discharged; and, if so, whether he can state the reason why the Works Department has not been treated in the same manner as the other departments.

(Answered by Mr. McKenna.) No such instructions as are indicated in the hon. Member's Question have been issued to the dockyards.

**Skilled Workmen doing Labourer's Work  
in the Central Parks.**

MR. W. T. WILSON: To ask the First Commissioner of Works whether he is aware that there are a considerable number of workmen employed in the central parks doing the work of skilled mechanics who are only being paid labourers' wages, viz., 27s. per week; whether he is aware that skilled workmen are sometimes discharged and, in the course of a few days, re-engaged as labourers, and are almost immediately instructed to do the work of skilled artisans; and whether he will take steps to alter this state of affairs.

(Answered by Mr. L. Harcourt.) The Answer to the first paragraph is in the negative. In one instance only has a bricklayer been re-engaged as a labourer. He has once been employed on some rough brickwork; in future such work will be done by a bricklayer.

**Vaccination Exemption Certificates—  
Case of Mr. B. Cornwall.**

MR. LEHMANN (Leicestershire, Market Harborough): To ask the President of the Local Government Board whether he is aware that Mr. B. Cornwall, of London Farm, Isleham, Cambridgeshire, whose child was born on the 5th June, 1907, attended the Newmarket Court on the 1st October, 1907, to obtain exemption from vaccination, but found that, as the day had been set apart for Suffolk cases, his application could not be taken; that Mr. Cornwall had therefore to wait until the following week, the delay causing his application to be made three days beyond the limit of four months; whether Mr. Cornwall is now being pressed to have his child vaccinated; and whether, under the special circumstances of the case, he will instruct the vaccination officer not to prosecute Mr. Cornwall.

(Answered by Mr. John Burns.) The circumstances in which the parent found himself unable to make a statutory declaration before a magistrate within the prescribed time appear to be as stated. I understand that the parents are further

considering the question of the vaccination of the child, and that probably now they will have the child vaccinated.

#### **Old-Age Pensions—Charitable Gifts and Allowances.**

MR. R. PEARCE (Staffordshire, Leek): To ask the President of the Local Government Board whether he is aware that certain Inland Revenue officers have been informing applicants for pensions that charitable gifts and allowances were a disqualification for the receipt of a pension; and whether such statements were made with the sanction of the Local Government Board.

(*Answered by Mr. John Burns.*) I have no information on this subject. The pension officers are not under my control, and no sanction on my part is necessary as regards any statements they may make to applicants for pensions.

#### **The Albion Assurance Association.**

MR. HUNT: To ask the President of the Board of Trade under what Act of Parliament the Albion Assurance Association, of Imperial Buildings, New Bridge Street, E.C., is established, and under what authority it is carrying on the business of insurance among the working classes.

(*Answered by Mr. Churchill.*) My attention has been called to this association which, from inquiries made, appears to be a voluntary organisation. The subject of the transaction by the association of insurance business is engaging the attention of the Board of Trade.

#### **Foreign Patentees Establishing Works in Great Britain.**

MR. SLOAN: To ask the President of the Board of Trade if he can state the number of foreign patentees, together with the articles they manufacture, registered in England, and who are likely in future, in view of the Patents Act, to have such goods produced in Great Britain.

(*Answered by Mr. Churchill.*) The total number of owners of existing British patents who are foreigners is estimated by the Patent Office to be about 30,000. It is impossible to foretell what number of these patentees will, in consequence of the Patents Act, work

their patents in this country; but it would appear from the accounts in the public press that several of them have already commenced such working, and that others are proposing to do so. I may add that several applications for revocation for non-working in this country are at present before the Comptroller.

#### **The Board of Trade and Funicular and Cliff Railways.**

MR. GIBBS (Bristol, W.): To ask the President of the Board of Trade whether he has any jurisdiction over funicular and cliff railways, and, if so, what.

(*Answered by Mr. Churchill.*) If a railway of either description were constructed by or under statutory authority and came within the meaning of the Regulation of Railways Acts the Board of Trade would have the same jurisdiction as they possess in regard to other railways opened or proposed to be opened for the public conveyance of passengers.

#### **The Corporation of London and Spitalfields Markets.**

MR. STUART SAMUEL (Tower Hamlets, Whitechapel): To ask Mr. Attorney-General whether the action upon the subject of the acquisition by the Corporation of London of the lessee's interest in Spitalfields Market, has yet been set down for trial; if not, when he anticipates that it will be so set down; and in the event of its being already entered for trial, when he anticipates that the trial will take place.

(*Answered by Sir William Robson.*) This action cannot be set down for trial until certain interlocutory matters have been disposed of. I am informed by the City Solicitor, who has the conduct of the case, that no time has been lost in proceeding with the matter during the vacation. The case is to come before the Master for directions on the 26th inst., and the City Solicitor hopes that the remaining interlocutory matters will not cause any considerable delay.

#### **Commutation of Pensions.**

SIR SEYMOUR KING (Hull, Central): To ask Mr. Chancellor of the Exchequer if he will state what is the total amount of public money that has been paid in respect of commutation of pensions since

ing of the Pensions Commutation 1871; and if a Return could be had showing whether, under the regulations in force, the Ex- has profited or lost over the tions effected, and to what extent.

*Answered by Mr. Lloyd-George.*) The advanced from Savings Banks since the passing of the Pensions Act, 1871, up to the end of 1907, was £5,790,973 ls. In which the whole pension has commuted there is no record of the recent history of the pensioner or of the date of his death. It would, therefore, not be possible to prepare such a Return as is contemplated in the Bill.

#### Legislation Affecting the Blind in Ireland.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he intends to introduce legislation dealing with the blind in Ireland, if so, when.

*Answered by Mr. Birrell.*) I presume the hon. Member refers to legislation the lines of the Irish Education (Evicted Children) Bill, which was introduced by my predecessor two years ago. I should be very glad to introduce a Bill on the subject if I had any assurance that it would meet with general approval.

#### Evicted Tenants—Case of John Fitzgerald.

MR. WILLIAM ABRAHAM: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application from John Fitzgerald, an evicted tenant on the Grehan estate, county Wick, for reinstatement in his holding at Kardstown, from which he was evicted in June, 1879; whether Michael Walsh, who has only occupied this farm since 1883, is merely a grazier; and whether, knowing that John Fitzgerald and his two sons are fully capable of working a farm properly, the Commissioners would seriously consider his claim.

*Answered by Mr. Birrell.*) The Estates Commissioners have received the application, and will consider it in due course. The proceedings appear to be pending.

before the Commissioners for the sale of the holding, and they are not in a position to state the tenure of the present occupant.

#### Use of Roman Catholic Schools at Bandbridge.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the National Education Board have sanctioned the use of the Roman Catholic schools in Bandbridge, county Down, for the purpose of holding a dance on the 30th instant; and, if so, can he say on what grounds such permission has been given.

*Answered by Mr. Birrell.*) The Commissioners of National Education inform me that the schools in question are non-vested, and that they do not in any ordinary cases exercise any control over the use of non-vested schools on Sundays, or before or after the school hours on other days. No application for the use of these school-rooms for the purpose of a dance has been received by the Commissioners, and consequently no sanction has been given.

#### Record of Irish School Teachers' Attendances.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the inspectors of schools in Circuit 7, Belfast, still insist on the teachers entering in the ordinary roll book not only the time of their arrival at school each day, but also the time of their departure; and whether, seeing that the National Board of Education have no rules or regulations authorising the inspectors to act in such a manner, and the fact that no such demand is made by other inspectors of schools, he will take steps to have such instructions withdrawn.

*Answered by Mr. Birrell.*) The Commissioners of National Education assume that in all national schools a record is kept of the teachers' attendance, and there is a query relating to this record in the form of return which the teacher of every national school is bound to have in readiness for the inspector on his visit. The Commissioners think that such a record is necessary, and they have no intention of withdrawing their query on the subject.

## QUESTIONS IN THE HOUSE.

### Rosyth Harbour.

MR. BRIDGEMAN (Shropshire, Oswestry): I beg to ask the Prime Minister if he will consider the advisability of proceeding more rapidly with the construction of Rosyth Harbour as a means of giving work to the unemployed.

THE FIRST LORD OF THE ADMIRALTY (Mr. McKenna, Monmouthshire, N.): The Prime Minister has asked me to take this Question. Tenders for this work which is to be done by contract have already been invited. The contract will contain a clause giving a bonus to the contractor for hastening the work.

### Contracts for New Cruisers.

MR. RENWICK (Newcastle-on-Tyne): I beg to ask the Prime Minister whether he can further accelerate the placing of the contracts for the new cruisers, as a lengthened period must necessarily elapse between the placing of the orders and the actual time at which any considerable quantity of skilled and unskilled labour can be employed upon the vessels and their machinery and armament.

MR. McKENNA: The Prime Minister has asked me to take this Question. I have gone to the limits of possibility in expediting the orders for these cruisers.

### The 5th Lancers.

MR. NIELD (Middlesex, Ealing): I beg to ask the Secretary of State for War whether the report of Major-General Scobell upon the conduct of the five officers of the 5th Lancers who were placed upon half-pay was founded upon existing written reports from Colonel Graham, the officer commanding, or whether they depended, and in what respect, upon verbal communications between the two officers; will he say why reports upon the efficiency of officers are allowed to be forwarded to the Army Council which are not founded upon the written statement of the officer in command, and, further, why the five officers in question were judged *in camera* without any previous official communication being made to them as to what charge whether of breach of discipline or want of

efficiency) was or had been made against them and without their being called upon for an explanation; and whether the Army Council object, and for what reason, to have public inquiry into the circumstances relating to the case of the officers of the 5th Lancers retired upon half pay.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The officer commanding the 5th Lancers reported in writing adversely on these five officers to the major-general commanding the 1st Cavalry Brigade. These adverse reports were in every instance communicated to the officers concerned and doubtless formed the basis of the general's reports. It is not only necessary but desirable that a general officer should consult with a commanding officer when the latter renders an unfavourable written report upon an officer. But once the general has formed his opinion of the officer in question and recorded it in writing, he is bound by regulation to communicate his written report to the officer. The adverse reports by the General Officer Commanding 1st Cavalry Brigade on the five officers were in each case communicated to the officers concerned. An officer who considers himself wronged by an adverse report has a statutory right to appeal against that report. When an officer exercises that right the appeal together with the unfavourable report are submitted for the decision of the Army Council. The object of convening a Court of Inquiry is to assist superior officers in eliciting information on any subject of an intricate or disputed nature. In the cases in question there are, in the opinion of the Army Council, no grounds for an inquiry.

### Reports on Officers.

MR. NIELD: I beg to ask the Secretary of State for War whether it is customary for the Army Council to act upon reports as to the personal conduct and fitness of individual officers which are not obtained officially and in writing.

MR. HALDANE: The reply is in the negative.

MR. NIELD: I beg to ask the Secretary of State for War whether he will



take steps to see that in future the principles of elementary justice are applied in dealing with officers in the same manner pursued in civilian cases, and that the only evidence which shall be acted upon by the Army Council in such matters should be in writing signed by the person responsible for the statement, and that such statement, in accordance with the regulations, shall be forwarded or shown to the officer in question before the matter is considered by the Army Council and an opportunity be given to him to lodge his reply in writing.

MR. HALDANE: The procedure proposed by the hon. Member is that laid down in the King's Regulations for the guidance of officers whose duty it is to report on officers under their command. If the hon. Member will look at the changes made in the Regulations he will find that his suggestions have already been carried out.

#### The New Howitzer.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War whether the recent trials of the new howitzer have been satisfactory; and whether the new pattern gives more accurate shooting than the old gun.

I beg also to ask the Secretary of State for War whether the new howitzer

is heavier or lighter than the gun it supersedes; and what approximately is its effective range.

MR. HALDANE: In reply to these Questions the new field howitzer is still under trial and it is not considered desirable to publish any results until the howitzer is approved. I think the hon. Member may safely assume that a new pattern will not be adopted unless it is in all respects superior to the old one.

\*MR. ASHLEY: Is it intended that the new gun shall be substantially heavier than the old pattern?

MR. HALDANE: I would rather not go into details now.

#### Discharges from Government Factories.

MR. G. GOOCH (Bath): I beg to ask the Secretary of State for War if he will state how many men have been discharged from the ordnance factories at Woolwich, Enfield, and Waltham, since 1st January, 1908; how many were discharged between the accession to power of the present Government and the end of 1907; and how many were discharged between the end of the South African War and the resignation of the late Government.

MR. HALDANE: The figures are as follows:—

	From 4th January to 10th October, 1908.	From 1st December, 1905, to 28th December, 1907.	From 1st June, 1902, to 30th November, 1905.
Woolwich - -	106	3,081	4,567
Enfield - -	18	88	1,252
Waltham Abbey -	30	139	453
	154	3,308	6,272

Although the reductions made by the late Government were very much larger, that was natural because it was very soon after the war, and I have no doubt we should have taken the same course.

The figure 154 is made up as follows: Men discharged prior to the order to stop discharges on reduction, 12; men discharged from building department and central office to which the

principle of a minimum establishment does not apply, 85; men who left voluntarily, 51; men temporarily employed, 6. I may add that nobody has been discharged recently to whom the statement regarding discharges made some time ago would apply.

#### **Royal Garrison Artillery—Promotion of Officers.**

MR. ARTHUR LEE (Hampshire, Fareham): I beg to ask the Secretary of State for War whether he has now further considered the question of stagnation of promotion amongst officers of the Royal Garrison Artillery; and, if so, whether he is in a position to state what steps he proposes to take to ameliorate the hard position in which the officers of this corps find themselves as a result of recent changes of military policy.

MR. HALDANE: The present state of promotion in the Royal Garrison Artillery has been receiving careful consideration, but I am not at present able to make any statement on the subject. It is, however, fully expected that in the near future the present rate of promotion will improve.

MR. ASHLEY: Will the right hon. Gentleman do everything in his power to make some announcement with regard to his proposals on this matter at the earliest possible date in order to avoid the resignation of a large number of these officers with an essentially high standard of attainments?

MR. HALDANE: I shall be glad to do it as soon as possible.

#### **War Office Extensions on Salisbury Plain.**

MR. GOULDING (Worcester): I beg to ask the Secretary of State for War whether the Government propose to pay the tenants who have to give up their holdings in the new area in Salisbury Plain any compensation for disturbance, as contemplated by the Agricultural Holdings Act (Amendment), 1906.

MR. HALDANE: I can assure the hon. Member that tenants who may have to give up their holdings owing

to the proposal to acquire land for an artillery range on Salisbury Plain, will get the usual compensation for improvements to which they may be entitled under the Agricultural Holdings Act. With regard to compensation for disturbance I would point out that good and sufficient cause can be shown for terminating existing tenancies upon land which is needed for a national purpose.

MR. GOULDING: I beg to ask the Secretary of State for War whether he can state how many labourers are now employed on the farms to be acquired by the Government in the neighbourhood of Salisbury Plain; and what is the number of those aged sixty-five years and upwards.

MR. HALDANE: There are no statistics available to give the information required.

MR. GOULDING: But surely the right hon. Gentleman must realise the difficulty that labourers over sixty-five years of age will have in getting other employment? Is nothing to be done for them?

MR. HALDANE: I hope they will receive every consideration.

#### **Horses for the Army.**

MR. ASHLEY: I beg to ask the Secretary of State for War whether in view of the serious decrease in the number of horses in the United Kingdom suitable for Army purposes, it is intended to provide in next year's Army Estimates a sum of money to encourage the breeding of such horses, which Austria-Hungary, Germany, and France promote by spending annually £300,000, £200,000, and £100,000, respectively.

MR. HALDANE: It is not possible at present to give the hon. Member any information on this subject beyond what I have already given to the House.

MR. ASHLEY: Can the right hon. Gentleman not give me some answer? When I put the Question to the President of the Board of Agriculture he refers me to the right hon. Gentleman,

When I ask him he will give no answer at all.

**HALDANE:** The hon. Gentleman is asking information as to the rates for next year. That I cannot give him.

#### Defence of Naval Arsenals.

**ASHLEY:** I beg to ask the Secretary of State for War whether there is permanent armament in the land-ports forming the defences of the naval arsenals of Portsmouth, Plymouth, Devonport, and Chatham; if so, what is the nature of such armaments.

**HALDANE:** There is no permanent armament in the landward forts for the defence of our naval ports. Though it was originally intended that they should contain such armament, it is now held to be preferable to provide garrisons of the forts, which may be of considerable use for purposes of defence, with movable armament which can be used for mobile defence. The land ports mentioned are all in possession of their movable armament.

**MR. ASHLEY:** Am I to understand that these defences are practically of no use at all?

**MR. HALDANE:** On the contrary, they are held to be of more effect than if supplied with fixed guns.

**MR. ASHLEY** asked why Continental nations had these defences for their ports.

**MR. HALDANE** said that the recommendations of an extremely competent committee appointed by Lord Lansdowne to deal with this question had been carried out.

**\*MR. ARNOLD-FORSTER (Croydon)** asked whether it was the fact that any east border fortresses in other countries had been strengthened by the removal of these armaments?

**MR. HALDANE** said he did not know what the arrangements as to these armaments were in other countries,

but, being a Scotsman, he would ask the right hon. Gentleman another question—namely, why, if he held these views now, he did not in other days reverse the arrangement?

**MR. ARNOLD-FORSTER:** As an explanation, may I remind the right hon. Gentleman—

**\*MR. SPEAKER:** Order, order. There are 159 Questions on the Paper.

#### Territorial Battalions—Ambulance Section.

**MR. CARLILE (Hertfordshire, St. Albans):** I beg to ask the Secretary of State for War whether in view of the desirability of having stretcher-bearers or an ambulance section with each Territorial battalion during manoeuvres while in brigade camp, he will modify the present arrangements under which these men work as an independent brigade unit, or whether he will require each battalion to furnish a stretcher-bearer or ambulance section for its own service in addition to the brigade unit.

**MR. HALDANE:** Regimental stretcher bearers, to the number of sixteen, are included in the establishment of a Territorial Infantry battalion. They are, as I have already informed the House, formed from the bandsmen, and are trained for the duty. Their organisation, training and duties are the same as in the Regular Army, and they are not organised as part of an independent brigade unit, but do duty with their own battalion.

#### The Unemployed and the Special Reserve.

**MR. ARTHUR LEE:** I beg to ask the Secretary of State for War whether recruits from the ranks of the unemployed who join the Special Reserve, and who take the advantage of his offer to provide them during the winter months with weekly pay, free food, quarters, bedding, fuel, and light at the expense of the State, will be entitled subsequently to cancel any obligation to remain in the Reserve for the normal period of six years, or to render any further military service in the event of an emergency, on making a payment of £3 at the conclusion of their temporary employment or at any other

time that may be more convenient to themselves.

MR. HALDANE: Any Special Reservist can always purchase his discharge for £3, provided that such discharges are not suspended by any national emergency.

MR. ARTHUR LEE asked whether under the exceptional circumstances the right hon. Gentleman could not revise the terms of enlistment in the interests of the State so that men should not be entitled to cancel their obligation to be called on active service in cases of emergency at so cheap a rate? And he would also ask—

\*MR. SPEAKER: The hon. Gentleman must not forget that this is Question time, and not for debate.

#### **Ammunition for Rifle Clubs.**

MR. COURTHOPE (Sussex, Rye): I beg to ask the Secretary of State for War whether he intends to supply service ammunition at cheap rates to rifle clubs; under what conditions and at what price such supply will be made; and whether any communications have passed between the War Office and the National Rifle Association on the subject.

MR. HALDANE: The details are under consideration at this moment.

#### **Army Pensioners and the Colonies.**

MR. DU CROS (Hastings): I beg to ask the Secretary of State for War whether it is proposed to allow Army pensioners the option of commuting a portion of their pensions for the purpose of raising the capital necessary to enable them to proceed to British Colonies to find employment.

MR. HALDANE: I presume the hon. Member has in mind commutation at an earlier age than the existing regulations allow. This would involve a considerable charge upon the estimates of next year, and I am not in a position to make any promise or indeed to express any opinion on this difficult question without much consideration.

#### **South African Garrison.**

SIR GILBERT PARKER (Gravesend) I beg to ask the Secretary of State for War whether it is intended to consolidate the military forces in the different Colonies of South Africa and then to withdraw all British Regular troops, leaving the defence of South Africa to the local forces.

MR. HALDANE: No, Sir. There is no present intention of further reducing the South African garrison.

SIR GILBERT PARKER: Has the attention of the right hon. Gentleman been directed to a statement by Lord Methuen to the effect suggested in the Question?

MR. HALDANE: I saw a very brief report of the statement. I gathered it referred to reductions already announced rather than to future policy.

#### **The Special Reserve.**

CAPTAIN CRAIG (Down, E.): I beg to ask the Secretary of State for War if he can state what success has attended his recent appeal to the unemployed to join the new Territorial Force; how many men have presented themselves for enlistment; how many have been accepted; and how many of these are under seventeen years of age.

MR. HALDANE: May I venture to point out to the hon. and gallant Member that my so-called appeal referred to the Special Reserve and not to the Territorial Force. The figures for the last fortnight show an improvement of 200 each week over the figures for the corresponding weeks of last year. No figures as regards ages are reported weekly.

#### **Territorial Field Artillery—Land Ranges.**

MR. ASHLEY: I beg to ask the Secretary of State for War whether any land ranges suitable for Territorial field artillery practice have been acquired within the last six months; and what negotiations, if any, are in progress with a view to purchase such ranges.

MR. HALDANE: No land artillery ranges suitable for Territorial field



artillery have been acquired during the last six months. As the hon. Member is aware, negotiations are in progress for the acquisition of such a range on Salisbury Plain. The question of obtaining lands for such ranges in other parts of England has been and is still being fully considered, but matters have not yet reached the stage of definite negotiations.

MR. ASHLEY: Will the right hon. Gentleman say when he hopes to conclude the negotiations regarding the Salisbury Plain range?

MR. HALDANE: I shall be glad to do so as soon as possible.

#### **Week-end Camps for Territorials.**

MR. ASHLEY: I beg to ask the Secretary of State for War whether any money has been specially allocated for the purpose of defraying the cost of week-end camps for Territorials, which form of training has been found most useful in the Northumbrian division; and, if not, will provision for this object be made in the future.

MR. HALDANE: The principle adopted from the beginning has been to leave the General Officers Commanding-in-Chief free in the allocation of their training grants, and I have no reason to think that the funds at the disposal of the Associations and of General Officers Commanding are not sufficient to provide for this form of training.

#### **Woolwich Ordnance Factories— Discharges of Boys.**

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk): I beg to ask the Secretary of State for War whether he is aware that, even when unemployment has reached an acute stage, nearly 50 per cent. of the boys in the Ordnance Factories at Woolwich should be discharged on attaining the age of twenty-one years; whether the period of notice of discharge given on Ordnance Factory Form 64 is only three weeks; whether the boys discharged have been taught any trade during their period of service which they could pursue after discharge; and what steps he proposes to take to ensure that a larger proportion of boys should be per-

manently retained after attaining the age of twenty-one.

MR. HALDANE: As the House is already aware, the boys employed in the Ordnance Factories may be divided into two classes: (a) Trade lads who on passing an examination are taught a trade which they can pursue after discharge; (b) unskilled lads who are not taught any regular trade but who are employed on work not requiring any trade instruction. Fifty per cent. of the lads in Class (a) may be retained on reaching the age of twenty-one, the number of lads admitted to this class being limited. All the lads in Class (b) are at present discharged on reaching the age of twenty-one as if retained they must be taken on as men, and the numbers being in excess of the approved establishment there are no vacancies for men. When the numbers have reached the approved establishment by wastage any vacancies can be filled by retaining boys who reach twenty-one. I may add that Form 64 is only a blank form filled in according to circumstances. All trade lads now get six months notice, and all the other lads know that they have to go at twenty-one.

LORD BALCARRES (Lancashire, Chorley): But is it not the fact that under Form 64 boys can be discharged at ten days or a fortnight's notice?

MR. HALDANE: I have the form here; it says nothing of the kind.

LORD BALCARRES: Does not the form issued of the last few days provide for the discharge of boys at twenty-one years of age at a fortnight's notice?

MR. HALDANE replied in the negative, and added some words which were inaudible in the Gallery.

#### **Tents for Territorial Officers.**

MR. COURTHOPE: I beg to ask the Secretary of State for War if he will state what tent accommodation will be provided for officers of the Territorial Force during annual training under the new scale.

\*MR. HALDANE: The tent accommodation is as follows:—Circular bell

tents: one each per field officer and staff officer; one per two other officers. Mess tents: two marquees per Yeomanry regiment or Infantry battalion; one marquee per other unit.

MR. COURTHOPE: Does the right hon. Gentleman think he will secure the services of an increased number of young officers who are willing to devote their annual holiday to the training by reducing the accommodation provided for them?

[The reply was inaudible.]

#### Service Rifle Ammunition.

MR. COURTHOPE: I beg to ask the Secretary of State for War whether, in their endeavour to secure a satisfactory ammunition for the service rifle, the War Office have taken advantage of the experience of manufacturing firms by carrying out trials with those types of ammunition of private manufacture which are universally acknowledged by experts to be the best at present obtainable.

MR. HALDANE: Yes, Sir. Private manufacturing firms have been invited to supply ammunition for trial, and some have complied with the invitation.

MR. COURTHOPE: Have any trials been conducted with this ammunition?

MR. HALDANE: When the ammunition has been supplied for trial I presume we are working with it.

EARL WINTERTON (Sussex, Horsham) asked as to ammunition for Canada for the Ross rifle.

MR. HALDANE said he believed the Ross Rifle Company manufactured their own ammunition.

#### Converted Rifles.

MR. COURTHOPE: I beg to ask the Secretary of State for War how many long Lee-Enfield rifles have now been converted for the use of the Territorial Force; when the necessary total number will be completed; and when the converted rifles will be issued.

MR. HALDANE: 20,500 rifles have been converted. The date when the required number will be completed depends on the money available in future years, and cannot at present be estimated. It has not yet been decided when the converted rifle will be issued.

#### Special Reserve Establishment.

MR. ASHLEY: I beg to ask the Secretary of State for War whether, at the present rate of recruiting, all vacancies in the establishment of the Special Reserve will be filled up during the winter; and whether he will raise the minimum age of enlistment to eighteen years with a view to securing the efficiency of the force.

MR. HALDANE: There are not as yet materials on which it is possible to say with the least degree of certainty what the rate of recruiting for the Special Reserve will be during the winter. So far it has gone up substantially, but this is all I can say. I am adverse to raising the age as suggested in the latter part of the Question, for reasons which I have more than once stated to the House.

MR. ASHLEY: If the right hon. Gentleman has no data to go upon, how can he say there will be room for 24,000 of the unemployed?

MR. HALDANE said the question was, would the increased rate of recruitment continue and would they get the 24,000 men they required.

MR. ASHLEY: I beg to ask the Secretary of State for War whether, in the event of enlistment of 24,000 unemployed into the Special Reserve during the present winter, that force will be 8,202 over establishment, saving reductions caused by death, discharge, desertion, and enlistment into the Regular Army; and whether he intends to seek power to increase the establishment of the Special Reserve.

MR. HALDANE: The reply to the first part of the Question is in the negative. The wastage from all sources was estimated at about 8,000, and by adding this number to the present deficiency

00 the figure 24,000 was the probable number of ng the forthcoming winter. second part of the Question, the negative.

LEY: But suppose the is than the estimate of the ntleman?

AKER: That is a hypo- tion.

### and Labourers for Southern Rhodesia.

ES (Montgomery Boroughs): ask the Under-Secretary of he Colonies whether official n Nyassaland for the mines Rhodesia is permitted without ion or stipulation as to non- it underground of labourers

UNDER-SECRETARY OF OR THE COLONIES (Colonel iverpool, Abercromby): The in the experimental gang d by the Seretary of State March last were to be sent certain specially inspected and might elect whether to as surface labourers or for derground.

REES: I beg to ask the Under- y of State for the Colonies : the Government is now practi- egulating the export of labour yassaland to Southern Rhodesia ; i so, whether labour cannot be ed in Nyassaland so as to provide cient and continuous supply for vice of local industries.

ONEL SEELY: The emigration der Government supervision. I stand that there is at present a surplus of labour in Nyassaland, at no question is likely to arise o a sufficient supply for local in- ries.

R. REES: I beg to ask the Under- etary of State for the Colonies ther he is aware that about 18,000 ives of Nyassaland emigrated last

year to Southern Rhodesia as free and unrestricted emigrants, without any pro- vision being made for their comfort and accommodation on the march ; and whether, since free emigration cannot be prohibited, the Government will consider the advisability of organising the export of surplus labour, under satisfactory conditions, for the common benefit of Nyassaland and other regions in Central and Southern Africa.

COLONEL SEELY: 18,000 natives are estimated to have left Nyassaland last year, the bulk of whom went to Southern Rhodesia. I am now in- formed that the Government of Southern Rhodesia decided to take in hand the regulation of alien labour from the 1st instant. As I have stated in reply to another Question by my hon. friend, further consideration is being given to the question of the emigration of native labour from Nyassaland to other regions.

MR. REES: I beg to ask the Under- Secretary of State for the Colonies what is the authority for the statement made by Lord Elgin to Lord Selborne, as disclosed by the Blue Book published in April last, to the effect that no con- siderable number of natives of Nyassa- land are likely to find their way to the Rand as independent immigrants ; whether such independent immigrants are or are not now at liberty to travel through Southern Rhodesia to the Trans- vaal ; and whether, if the local ad- ministration does not control the surplus labour supply, there is any means of preventing its crossing the border into Portuguese territory, and there entering into engagements with the agents of the Witwatersrand Native Labour Association.

COLONEL SEELY: Lord Elgin's state- ment was based on the opinion of Sir Alfred Sharpe, with whom the question was carefully discussed when he was in this country last winter ; the subject matter of the latter part of my hon. friend's Question is receiving the atten- tion of the Secretary of State, with the object of ascertaining how far there has been any change in the circumstances.

**Orange River Colony Loan.**

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether the Government is favourably disposed to guarantee the proposed Orange River Colony Loan of £1,500,000; and, if so, will it give the House of Commons an opportunity of fully discussing the question before a final decision is reached.

COLONEL SEELY: I cannot add anything to my reply to the hon. Member's Question of the 19th, except that, in the event of any guarantee being given, an Act of Parliament would be required such as was passed in the case of the Transvaal guaranteed loans.

**Transvaal War Casualties and Injuries Commission.**

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies if he will give the names of the members of the War Casualties and Injuries Commission appointed by the Transvaal Government to inquire into and report upon the cases of all persons in indigent circumstances now domiciled in the Transvaal, who were resident in the Transvaal on or immediately before 11th October, 1899, who served under arms, either on the side of the Imperial Government or of the Government of the South African Republic, during the hostilities between those Governments; and whether he will give the names of the members of the South African Republic Officials' Pensions Commission appointed to consider the claims of those deprived of office as the result of the war.

COLONEL SEELY: The names are as follows: In the case of the first Commission, Mr. I. S. Ferreira (Member Legislative Assembly), President, Messrs. Dutoit (Member Legislative Council), Nicholson (Member Legislative Assembly) and Viljoen; in the case of the second Mr. A. D. Wolmarans (Member Legislative Council) Chairman, and Mr. D. Loveday (Member Legislative Assembly).

**The Colonial Secretariat.**

MR. BRIDGEMAN (Shropshire, Oswestry): I beg to ask the Under-Secretary of State for the Colonies if the House will have any opportunity of ascertaining

the extent and character of the work carried out by the Colonial secretariat established after the Conference of Colonial Ministers.

COLONEL SEELY: The secretarial staff of the Imperial Conference have been and are engaged on work which I trust will be of service to the Conference at its next meeting. I shall be glad to make a statement on the subject when occasion offers.

**British Indians in the Transvaal.**

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for the Colonies whether in view of the expressions of popular indignation in India at the recent treatment of British-Indians in the Transvaal, His Majesty's Government have taken any steps towards remedying the grievances in question.

COLONEL SEELY: His Majesty's Government are well aware of the sympathy which has been excited by allegations of ill-treatment of British Indians in the Transvaal, and they are in communication on the subject with the Colonial Government, who, they feel assured, have no desire to take legislative or administrative measures involving unnecessary harshness. The Secretary of State has been in friendly communication with the Transvaal Government on this subject, and a considerable number of concessions have already been made. The principal remaining grievance of the Indians is, as I understand, their fear that they may not secure a supply of professional men to attend to their wants, and the Secretary of State is in communication with the Transvaal Government with a view to ascertain whether it is not possible to secure what is wanted by means of administrative action. I have hope that the representations of the Secretary of State may not be without effect.

\*MR. REES: Is the contention that the Transvaal Government promised to repeal the Act complained of admitted?

COLONEL SEELY: No, Sir, the statement is made on one side and denied on the other.



**Dinizulu.**

**ARNESS** (Berkshire, New-  
to ask the Under-Secretary  
for the Colonies whether he can  
length of time during which  
been kept in prison in  
trial; whether a date  
fixed for his trial; and,  
he will place in the Library  
a copy of the indictment  
Dinizulu will be tried and  
the Natal Parliament consti-  
tutional by which he is to be  
describing the procedure to  
at the trial.

**SEELY**: Dinizulu was  
December, and the Special  
Court is to try him will open on  
2nd November. The indict-  
ment not yet been received, but the  
Court will be asked for a copy. The  
Special Court Bill will be  
No. 4195. It was passed, with  
minor alterations specified at  
the end of the Parliamentary Paper  
which has just been published.  
under which the Court has power  
under Section 21 of the Act  
I presume, so far have been  
that we have telegraphed for the  
order to be forwarded as soon as

**Native Land in South African  
Protectorates.**

**WEDGWOOD** (Newcastle-under-  
Lyme): I beg to ask the Under-Secretary  
for the Colonies, with reference  
to the unification of South Africa and  
possible incorporation in the United  
Kingdom of the protectorates of Basutoland  
and Bechuanaland, whether he will see  
that the native interests are permanently  
protected by making the complete non-  
alienation of the land of those protector-  
ates a *sine qua non* of the  
exercise of direct Imperial control.

**COLONEL SEELY**: My hon. friend  
will doubt aware that an Act of the  
Imperial Parliament would be necessary  
to effect a new Constitution in South  
Africa. I think, therefore, it would be a  
mistake to anticipate the proposals  
for unification or federation which may  
arise from the important Convention  
which is in session at Durban. It would,

in the opinion of the Secretary of State,  
be most unwise to interfere in the de-  
liberation of that Assembly, but I can  
assure my hon. friend that His Majesty's  
Government are fully conscious of the  
importance of the maintenance of obliga-  
tions to the native population. I should  
add that there is abundant evidence  
that the delegates to this Convention  
are not unmindful of the great issues  
involved in this and kindred matters.

**MR. WEDGWOOD**: Will the Govern-  
ment be careful in any action they take  
not to surrender the interests of the  
natives and to prevent the alienation of  
their lands?

**COLONEL SEELY**: I think that is  
indicated in the Answer I have just  
read.

**MR. ASHLEY** asked if a like course  
would be taken in regard to the natives  
of Swaziland.

**COLONEL SEELY**: The Government  
will adhere to their declaration of policy.

**MR. WEDGWOOD**: It is too late in  
the case of Swaziland; the lands have  
already been alienated.

**COLONEL SEELY**: This amounts  
almost to a debate.

**Foreign Office Returns.**

**MR. R. HARCOURT** (Montrose  
Burghs): I beg to ask the Secretary of  
State for Foreign Affairs whether Reports  
can be obtained from His Majesty's  
representatives in the principal protected  
foreign countries and summarised for  
presentation to Parliament in a shape  
similar to the Return, No. 301, entitled  
Speeches (Time Limit), recently issued,  
showing to what extent, if any, party  
machinery has recently been utilised  
(with due allowance for constitutional  
differences) in assisting the progress  
of measures promoted by any company,  
trust, cartel, or syndicate when such  
measures do not form part of the Govern-  
ment programme.

**THE UNDER - SECRETARY OF  
STATE FOR FOREIGN AFFAIRS** (Mr.  
McKINNON WOOD, Glasgow, St. Rollox):  
My right hon. friend does not think it

would be possible to obtain a Report which would be of any value.

**The "Lady Kensington."**

MR. H. H. MARKS (Kent, Thanet): I beg to ask the Secretary of State for Foreign Affairs whether the Government has received information of the seizure by the Venezuelan authorities of the steamship "Lady Kensington," and of the arrest and imprisonment of her passengers and crew, and whether he can state what action will be taken in the matter.

MR. MCKINNON WOOD: His Majesty's Government have already been informed of the alleged detention of the "Lady Kensington"; but the particulars furnished are so incomplete that the Governor of the Windward Islands, who is in direct communication with His Majesty's Minister at Caracas, has been requested to make further inquiries into the matter.

**Mr. Grayson's Speech.**

EARL WINTERTON (Sussex, Horsa-ham): I beg to ask the Secretary of State for the Home Department if the attention of the police has been called to a speech, made by the hon. Member for Colne Valley, on Saturday, the 17th instant, to the unemployed in which he is alleged to have urged them to steal; and, if so, whether any action is to be taken in connection with it.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. GLADSTONE, Leeds, W.): Yes, Sir. The attention of the Commissioner of Police has been called to the speech, and he has considered the question of taking proceedings, but he thinks, and I agree with him, that it is not necessary to do so on this occasion. If, however, there should be further incitements of the same character in circumstances where they might lead to crime or disorder, I fear it will be necessary to take the usual proceedings with a view to the hon. Member being bound over.

**Cartridge Manufacturers' Regulations.**

MR. FELL (Great Yarmouth): I beg to ask the Secretary of State for the Home Department if he is aware

that British manufacturers of ammunition are placed at a disadvantage compared with German in consequence of the latter being allowed to sell in this country cartridges containing a powerful priming composition which English manufacturers are only allowed to use under regulations of the Home Office, which render business on a commercial scale impracticable; and whether he can alter such regulations or prevent the introduction of such foreign cartridges under the special circumstances prevailing.

MR. GLADSTONE: Safety cartridges, that is, cartridges so closed that the explosion of one cannot spread to another, are allowed to be imported to this country without licence, as there is no danger in their conveyance or storage; but their manufacture is dangerous, and is therefore subject to regulations. These regulations have been framed with much care, and are not generally of such a character as to stand in the way of the manufacture of safety cartridges on a commercial scale; but if any manufacturer can show that they bear hardly on any particular class of cartridge, I shall be glad to consider, after inquiry by the Explosives Department, whether it is possible, consistently with the safety of the workpeople, to allow any relaxation of the existing requirements.

**Unemployed Committees and the Unemployed Fund.**

MR. ELLIS DAVIES (Carnarvonshire, Eifion): I beg to ask the Prime Minister whether it is proposed to modify the rule which now prevents the Local Government Board from giving assistance out of the Unemployed Fund to county councils who, unable under Section 2 (2) of the Unemployed Act, 1905, to appoint a distress committee, have appointed an unemployed committee under Section 2 (3) of the Act.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. JOHN BURNS, Battersea): Perhaps I may be allowed to answer some of the Questions put to the Prime Minister on the subject of the Unemployed. With regard to the Question of my hon. friend I may state that payments out of the grant are only made to

and distress committees under the Unemployed Workmen Act are the bodies empowered to provide or contribute to work. Committees appointed under subsection (3) of Section 1 possess these powers. Their powers are limited to the collection of information with respect to the conditions within their area and the provision of information when required.

#### Committee Regulations.

MR. CROFT : I beg to ask the Minister whether it is proposed that committees, working under the provisions of the Unemployed Workmen Act, be empowered, if necessary, to extend the working period of sixteen weeks to a period of twelve months; and within what limits.

MR. JOHN BURNS (Norwich) : I beg to ask the Prime Minister if it is intended to revise the regulations in respect of removing the restriction by which the period of work provided under the Unemployed Workmen Act is limited to sixteen weeks a year.

MR. JOHN BURNS : I will answer these questions together. It is not proposed to alter the regulation referred to. As it is, the restriction can be relaxed in certain cases with the consent of the Government Board, and in some cases this consent has already been given.

#### Urban Distress Work.

MR. CLYNES (Manchester, N.E.) : I beg to ask the Prime Minister whether any grants will be made to local authorities in aid of schemes for the relief of the unemployed in districts which may have put a hand for the relief of the unemployed, but where no distress committees have been or can be created under the regulations previously applied.

MR. JOHN BURNS : The grant is made for expenses under the Unemployed Workmen Act, and consequently payments can only be made from it when a local body or distress committees have been set up under that Act.

#### Help for Unemployed Women.

MR. CLYNES : I beg to ask the Prime Minister whether the Government has considered and decided upon any means whereby unemployed women may benefit under the Government's proposals; and whether any restraints previously imposed on local authorities in respect of women's work will be discontinued.

MR. JOHN BURNS : It is competent for the distress committee for any district in which there is exceptional distress to submit a scheme of work for unemployed women to the Local Government Board, who will be prepared to consider it. No special restrictions have been imposed in respect of such schemes, and the Board have already made a payment this year from the grant in respect of a scheme of women's work in London.

#### The Relief Grant.

MR. SUMMERBELL (Sunderland) : I beg to ask the Prime Minister whether grants to local authorities in aid of schemes for the relief of the unemployed will be actually limited to the difference in cost by employing the unemployed instead of workmen normally engaged in the particular kind of work put in hand.

MR. JOHN BURNS : Payments from the grant will not be made to the local authorities, but to the distress committees. Where a distress committee contributes out of monies derived from the grant to the cost of works carried out by a local authority, the amount of the contribution will usually be limited in the manner referred to in the Question.

#### The Post Office and the Unemployed— The Central Telegraph Office.

MR. WILLIAM REDMOND (Clare, E.) : I beg to ask the Postmaster-General what are the conditions governing the employment of temporary hands in the Central Telegraph Office and postal service generally; is it the case that a number of these men, known as season substitutes, are, in accordance with certain regulations, to be dispensed with at the end of the present month; in view of the crisis of unemployment now prevalent, will he take such steps as may result in the retention of as many of these men as possible until the winter?

season has passed, especially having regard to the fact that it is much more economical to employ such men as substitutes against overtime, sick absence, and annual leave, than the performance of these duties by overtime by the established staff; and will he consider in this connection the need for clerks in other branches of his Department, such as the postal and engineering, which could be met by the temporary employment of some of the permanent staff of the Central Telegraph Office and so create temporary vacancies in that office for a number of men who will otherwise be unemployed until next summer.

**THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar):** Persons employed temporarily in the Post Office are, as a rule, engaged to meet special pressure at particular times of year, and it is made clear to them that they will not be retained when their services are no longer required. A number of persons have been employed temporarily during the past summer to meet the pressure which occurs in certain work at that season; and I am in hopes of finding employment for some of them from the middle of November until Christmas as temporary sorters. The hon. Member may rest assured that the whole matter has my sympathetic attention, and, without endorsing his particular proposal, I may say that no opportunity will be neglected of creating additional outlets which may mitigate the hardship of suspension of employment at the present season.

#### **Christmas Pressure in the Post Office.**

**MR. BRIDGEMAN:** I beg to ask the Postmaster-General what has been the number of men employed at Christmas by the Post Office in excess of the regular staff in each of the last five years.

The following Questions also appeared on the Paper on the same subject:—

**MR. CLAUDE HAY (Shoreditch, Hoxton):** To ask the Postmaster-General for how many weeks at Christmastide he proposes to employ the extra staff

of 8,000 men to be drawn from the unemployed of London; and what their average weekly wage will be.

**MR. CLAUDE HAY:** To ask the Postmaster-General how many extra men have been employed by the Postal Department in London at Christmastide during the years 1905, 1906, and 1907, respectively.

**MR. FELL:** To ask the Postmaster-General how many extra men have been employed temporarily by his Department at Christmas-time in each of the past three years; and how many men it is proposed to employ at the coming Christmas.

**MR. PIKE PEASE (Darlington):** To ask the Postmaster-General what number of men will be employed at Christmastide in excess of those employed last year at the Post Office.

**MR. SYDNEY BUXTON:** The number of extra hands employed at Christmastide as sorters, postmen, porters, and messengers in London during the last few years has been as follows, in round numbers:—1904, 7,000; 1905, 7,250; 1906, 7,400; 1907, 7,700; and this year they will number 8,000, a number which I hope to be able somewhat to increase by a further reduction in the overtime worked. These hands are employed, for the most part, from two to six weeks, with a certain number up to fourteen weeks. The fixed week's wage for adults for an eight-hours day was raised last year from 20s. to 24s. and besides this they will receive additional payment, apart from overtime, for the specially heavy work on Christmas Day and Boxing Day. I have no figures available as regards the provinces, but the total number employed will be considerable. Last Christmas, as stated by the Prime Minister on Wednesday, special efforts were made to utilise wholly unemployed men; and particular attention is being given to the carrying out of this policy for the coming Christmas. The same system will also, as far as practicable, be extended to the provinces as well.



**MR. BRIDGEMAN:** Then we are to understand that the increased number employed this year will be 300 in London and none in the provinces.

**MR. SYDNEY BUXTON:** I hope the increase will be greater in London. I have no figures as to the provinces.

**\*MR. KEIR HARDIE (Merthyr Tydvil):** What proportion will be employed a fortnight, and how many for six weeks?

**MR. SYDNEY BUXTON:** I cannot give the figures offhand.

### **The Post Office and the National Telephone Company.**

**SIR JOHN TUKE (Edinburgh and St. Andrew's Universities):** I beg to ask the Postmaster-General whether he has taken further steps towards bringing about the inclusion of the discharged members of the construction staff of the National Telephone Company in the permanent staff of the Post Office.

The following Questions on the same subject were answered at the same time:—

**MR. CHIOZZA MONEY (Paddington, N.):** To ask the Postmaster-General if the National Telephone Company, Limited, in order to keep down new capital expenditure, have largely reduced their canvassing staff, and are even neglecting new business sent to them; and, if so, whether he can see his way, by making a suitable agreement with the Company, to prevent the further contraction of business and discharge of employees.

**MR. CHIOZZA MONEY:** To ask the Postmaster-General if he will state precisely how many of the discharged employees of the National Telephone Company, Limited, he has taken into the employ of the Post Office telegraph or telephone services.

**MR. H. C. LEA (St. Pancras, E.):** To ask the Postmaster-General if he will guarantee to take over any member of the staff of the National Telephone Company, Limited, who is paid off on account of the work being reduced in

consequence of the company being taken over by his Department in 1911.

**MR. H. C. LEA:** To ask the Postmaster-General if he will make such arrangements with the National Telephone Company, Limited, as shall enable the Company to carry on the laying down of new plant and replacement work regardless of the transfer of the business of the company to his Department in 1911, so that the present staff of the company shall not suffer by being discharged and the public not be incommoded by the telephone service being hindered in its normal state of development.

**MR. CLAUDE HAY:** To ask the Postmaster-General whether, having regard to the number of persons, other than employees of the National Telephone Company, who are thrown out of employment or will lose their employment by the dismissals, actual and announced, of the employees of the company, he will arrange with the National Telephone Company to suspend all dismissals and notices of dismissals pending the negotiations he has announced as being in course between his Department and that company.

**MR. SYDNEY BUXTON:** As I have already stated in this House, applications for employment in the Post Office from men discharged by the National Telephone Company are being met so far as work can be found, and 105 have been so engaged during the last six months. I cannot, of course, give a general undertaking to employ any men who may be discharged by the company for the reason stated, nor can I control the action of the company in this respect. I understand that the company have not reduced their canvassing staff to any large extent, and they assure me that they are prepared to meet all applications for new lines under ordinary conditions, and have not refused such applications. I understand, indeed, from the company that the discharges which have so far taken place, apart from those due to misconduct or incompetence, or to the termination of temporary employment or employment for certain special purposes, have been mainly caused by an exceptional falling off in orders obtained

from the public, consequent on the recent depression of business throughout the United Kingdom. Arrangements between the Post Office and the company are under consideration which will, I hope, enable such works of construction as may be required for the service after 1911 to be continued uninterruptedly.

MR. H. C. LEA asked whether the right hon. Gentleman was aware that the statement he had just made was not borne out by the fact that men were being discharged by the National Telephone Company, thus adding to the great army of unemployed in London.

MR. SYDNEY BUXTON said he must accept the assurance of the National Telephone Company.

MR. WATT (Glasgow, College): Is it not the fact that they have dismissed their canvassers, and are not now canvassing for business?

MR. SYDNEY BUXTON said he understood they had not reduced their canvassing staff to any large extent and that the falling off in orders was due to the falling off in business.

MR. CHIOZZA MONEY: Then why is it necessary for the right hon. Gentleman to make special arrangements with the company?

\*MR. SYDNEY BUXTON said that in the next three years it might be hardly to the interest of the company to extend their system. He hoped to be able to come to an arrangement with them, so that together they might be able to carry on necessary construction work uninterruptedly.

#### **Trafalgar Day.**

CAPTAIN CRAIG: I beg to ask the First Commissioner of Works if he can state why the national flag was not flown on the National Portrait Gallery on Trafalgar Day; and whether he is aware of the universal desire throughout the country to honour the memory of the hero of that engagement.

MR. J. MACVEAGH (Down, S.): May I ask whether this Question was not handed

in at the Table the day before Trafalgar Day, and whether the right hon. Gentleman concludes from that fact that the hon. and gallant Member for South Down does not know what day Trafalgar Day is?

THE FIRST COMMISSIONER OF WORKS (Mr. L. HARCOURT, Lancashire, Rossendale): I think there was an element of intelligent anticipation. The responsibility for the National Portrait Gallery in this matter rests with the director. It has never been the custom to fly flags on public buildings on Trafalgar Day. The Nelson Column was as usual admirably decorated. I do not think it desirable unduly to extend the area of anniversary decorations, and I cannot believe that the honour in which Lord Nelson's memory is held would be better served by an increased display of bunting.

#### **Buckingham Palace and Unemployment.**

MR. H. C. LEA: I beg to ask the First Commissioner of Works whether, in view of the large number of painters and house decorators now amongst the unemployed in London, he could see his way to afford some of them immediate employment by giving Buckingham Palace a couple of coats of paint.

MR. L. HARCOURT: No money has been voted by Parliament for the painting of Buckingham Palace, and I am unable to put such work in hand.

#### **Afforestation in Ireland.**

MR. WILLIAM REDMOND: I beg to ask the Vice-President of the Department of Agriculture (Ireland) whether the Estates Commissioners have been authorised by the Treasury to purchase in the interests of State reafforestation woods and forests on estates sold in Ireland under the Purchase Acts; and whether this is being done at present.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. T. W. RUSSELL, Tyrone, S.): I presume the hon. Member desires to ask whether the Department has been authorised to purchase woods from the Estates Commissioners as they

to their possession. The answer is negative, but negotiations with the Admiralty are pending and the Department has in the meantime purchased from the Commissioners the woods of Lismore and Camolin in Tipperary and Oxford at a cost of something like £10,000.

**WILLIAM REDMOND** asked what progress had been made towards carrying out the recommendations of the Royal Commission on Afforestation which sat last year in Ireland, and whether it was a fact that the findings of that Commission had the approval of the Government on behalf of the public.

**T. W. RUSSELL** said it was a fact that they had the approval of the whole of the public, but he could not add anything to what he had said.

**WILLIAM REDMOND** said that in view of the urgency of the question he would again call attention to it at an early date.

#### **Unemployment in Ireland.**

**JOHN O'CONNOR** (Kildare, N.): I beg to ask the Prime Minister whether, in making inquiries on the subject of unemployment, he ascertained the condition of large urban localities in Ireland in respect to unemployment; whether, in the administration of the Unemployment fund and its application to the relief of poor localities, Ireland shall be included in the scheme propounded; whether the amount allocated to the Admiralty by the Admiralty regulations concerning unemployment will have been added more to the extent of such inquiries in districts affected than to the improvement of the respective dockyards.

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY** (Mr. ASQUITH, London, E.): I am not in a position to give particulars as to the extent of unemployment in Ireland, but my right hon. friend will, of course, be glad to consider any representations that may be made to him. In distributing the work between the respective dockyards, the nature of the work requiring to be done with and the resources of the dockyards concerned, have had to be borne in mind. The needs of Haul-

bowline Yard have, as I am informed, been considered in every possible way consistent with these objects.

**CAPTAIN DONELAN** (Cork, N.): I asked whether, in the allocation of the £300,000 referred to in the statement of the right hon. Gentleman on Wednesday last, due regard would be taken of the fact that this was the only Government dockyard in Ireland, and that Ireland would not derive any benefit whatever from the large expenditure on ship-building?

**MR. JOHN O'CONNOR** asked whether Ireland was to be left out of the distribution of funds, and whether any relief that country received was to depend entirely on the representations it might be prepared to make to the Government.

**MR. ASQUITH**: Any representations from any local authority in Ireland or any other body will receive the most careful and attentive consideration.

#### **Government Orders Abroad.**

**MR. R. DUNCAN** (Lanarkshire, Govan): I beg to ask the Prime Minister if it is an instruction to the spending Departments that as far as practicable orders for work to be done shall be placed in the United Kingdom rather than abroad until employment at home is in a satisfactory state.

**MR. ASQUITH**: There is no general instruction to the Departments, but, as a matter of fact, the amount of work which they place outside the United Kingdom is exceedingly small.

#### **Unemployed v. Contract Labour.**

**MR. MILDMAI** (Devonshire, Totnes): I beg to ask the Prime Minister whether, under his unemployed proposals, there will be any and, if so, what check upon municipal authorities in the exercise of the power to be conferred upon them of engaging the services of the unemployed in substitution for contract labour at the cost of the Exchequer.

**MR. ASQUITH**: No new power will be conferred upon local authorities to engage the services of the unemployed when carrying out works. It will rest with them as at present to determine

to what extent they will make use of unemployed labour. The Parliamentary grant is voted "for contributions in aid of expenses under the Unemployed Workmen Act," and consequently payments from it can only be made to the local bodies under the Act, viz., the Central (Unemployed) Body in London, and distress committees elsewhere. The administration of the grant in England and Wales is controlled by my right hon. friend the President of the Local Government Board, and in making payment from the grant in respect of the deficiency arising from the use of unemployed labour only a reasonable proportion of this deficiency is allowed, but regard is had to the circumstances of each particular case.

#### Imperial Grant to Local Authorities.

MR. CAVE (Surrey, Kingston): I beg to ask the First Lord of the Treasury if he can give an approximate estimate of the loss to local authorities which it is proposed to pay out of Exchequer grants, arising from the relative unproductivity of labour of unemployed workmen as distinguished from work carried out under contract by regular labourers.

MR. ASQUITH: The loss referred to only arises in the case of work for which there is no adequate supply of unemployed labour from persons normally employed in work of that kind. The loss to local authorities caused by employing workmen who are on the registers of distress committees, instead of having the work carried out under contract, is estimated as varying from 5 per cent. up to 40 or 50 per cent. of the cost of the labour. The actual amount of the extra expenditure involved in any particular case must depend largely upon the nature of the work and the efficiency of the supervision exercised. No hard-and-fast rule has been laid down as to the percentage which a distress committee may be authorised to contribute out of the grant, but usually not more than 30 per cent. would be regarded as proper for this purpose.

MR. CURRAN (Durham, Jarrow) asked whether this grant would be distributed in accordance with the scheme which the right hon. Gentleman laid before

the House, or in accordance with the Act as it stood?

MR. ASQUITH: In accordance, no doubt, with the Act as it stands, but in accordance with the regulations as modified in the manner I have indicated.

MR. CURRAN: Will the right hon. Gentleman place before the House the extent to which these restrictions will be removed so far as immediate purposes are concerned?

MR. ASQUITH: I have already indicated the relaxations in the regulations which will take place.

MR. CLYNES: Can the right hon. Gentleman say the extent of the loss suffered by unemployment by those who are not of the working classes?

MR. ASQUITH: That is rather a large question.

MR. A. J. BALFOUR (City of London) Do I understand the right hon. Gentleman to say that all he proposes to do in relation to the Act of 1905 is to modify the regulations which, under the Act, are capable of modification from time to time by the Local Government Board, but not to alter any of the substantive provisions of the Act by fresh legislation?

MR. ASQUITH: We do not propose to introduce legislation.

MR. HAROLD COX (Preston) asked whether he understood from the Answer of the right hon. Gentleman that if the efficiency of the supervision was bad, a larger percentage of grant would be made from the Imperial Exchequer.

MR. ASQUITH: What I said was that, where there was an adequate supply of unemployed labour of persons nominally employed in a particular industry, it would go to those people and no such question would arise. That is a very important point which some people have not sufficiently borne in mind. But where, as is often the case, you have to employ persons not specially



fitted, who have had no previous industrial training for the work, then, and then only, will this subvention, if I may so call it, from Imperial funds come in, and, as to that, adequate supervision is to be exercised.

#### Overtime in Government Departments.

MR. CLYNES: I beg to ask the Prime Minister whether instructions can be issued to the different Government Departments systematically to reduce long hours of work or abolish overtime where such may now exist; and whether the various Government contractors will also be pressed to adopt this course with a view to increasing opportunities for work for men now unemployed.

MR. ASQUITH: It is the practice of the Government Departments to resort to overtime only in the interests of the public service and to meet some pressing emergency. Under existing conditions, the hon. Member may be quite sure that every care will be taken not to resort to it unless in a case of clear necessity. It has not been found practicable to lay down any fixed rule in regard to this matter in Government contracts.

#### The Extent of Unemployment.

MR. A. J. BALFOUR: I beg to ask the First Lord of the Treasury if he will give the best estimate in his power of the number of unemployed in England, Scotland, Ireland and Wales, respectively, distinguishing between those who are classified as skilled and unskilled, and specifying the principal trades affected and the principal localities where unemployment is serious.

MR. ASQUITH: I regret that the information at the disposal of His Majesty's Government does not enable me to give any trustworthy statistical estimate of the nature asked for. Such information as is available as to the state of employment in various trades and districts is contained in the Board of Trade *Labour Gazette*, published on the 16th of this month. I may, however, say that the principal trades in which employment is specially bad include shipbuilding, engineering building, pottery and, in some districts, dock labour. The districts most

affected include the Clyde, the North-East Coast of England and the Potteries. Among large towns from which distress is specially reported are Glasgow, Liverpool, Manchester, Sunderland, the Hartlepoons, Coventry, Sheffield, Leeds, and Bradford. The dispute in the cotton trade is also causing a good deal of distress in Lancashire.

MR. GOULDING asked the right hon. Gentleman whether he was aware that a census of unemployed had been directed to be undertaken in Berlin and other great centres of industry in November, December, January, and February next, and whether, in view of the fact that no reliable information was possessed by the Board of Trade, he would institute a similar census here.

MR. ASQUITH: I will consult the Board of Trade.

MR. CHIOZZA MONEY asked whether it was not possible to instruct the Board of Trade to analyse the last census returns with regard to occupations and to collate the number of unemployed as returned by the trade unions so far as they related to similar trades, and thus arrive at a reasonable estimate.

MR. ASQUITH: I will put that suggestion also before the Board of Trade.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): Can the right hon. Gentleman give any information as to the special reasons for distress in towns like Bradford and Coventry which are not concerned with any of the trades he has mentioned?

MR. ASQUITH: I cannot say offhand. I should like notice of the Question.

MR. BYLES (Salford, N.): Does Manchester include Salford?

MR. ASQUITH: For this purpose it does.

#### Canals.

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Prime Minister whether it is the intention of the Government to redeem the pledge given by the late

Prime Minister with reference to dealing with the canals of the country; and, if so, whether, having regard to the amount of unemployment now prevailing, he will expedite matters in that direction.

MR. ASQUITH: As a first step towards carrying out the announcement made by the late Prime Minister a Royal Commission was appointed to inquire into the whole question of inland waterways. The Commission is still at work, and I am informed by the chairman that their recommendations will not be available at any rate before the middle of next year.

#### **The Irish Shipyards.**

CAPTAIN CRAIG: I beg to ask the Prime Minister if he can inform the House what provision it is the intention of the Government to make for meeting the distress at present existing in Ireland owing to want of employment; and will a proportion of the Admiralty's shipbuilding and repairs programme be allocated to Belfast and Derry shipyards.

MR. ASQUITH: I am afraid that I can add nothing at the moment to the statement that I made last Wednesday. The Admiralty carry out all their repair work in the Royal Dockyards. With regard to the ships to be built by contract this year, Messrs. Harland and Wolff, of Belfast, have been invited to tender for one of the new cruisers.

#### **Congestion in Ireland.**

MR. WILLIAM O'BRIEN (Cork): I beg to ask the Prime Minister whether the announcement that it is impossible at this stage of the session that any Bill dealing with congestion in Ireland should be expected to pass either House of Parliament represents the settled view of the Government.

MR. ASQUITH: It is the intention of the Government as soon as possible to introduce proposals in regard to this matter, but until we see what degree of acceptance these proposals meet, not only here but in other quarters, I should prefer to say nothing definite as to their Parliamentary prospects.

#### **Unemployment in Wales.**

\*MR. REES: I beg to ask the Prime Minister whether, in the administration of the funds to be made available for the unemployed, the wants of towns in central Wales will receive due consideration.

MR. ASQUITH: I have no doubt that my right hon. friend the President of the Local Government Board will be prepared to make payments from the grant to the distress committee of any place in Wales in which there is exceptional distress, and useful work would be provided.

#### **The Unemployment Debate.**

MR. A. J. BALFOUR: I beg to ask the Prime Minister whether it is not the fact that, in consequence of the course the debate must take, there will be five speeches at least before any member of the Party which brought in and passed the Act, the application of which we have to discuss to-night, will have an opportunity of addressing the House, and whether, in view of that fact, and also the fact that no speeches are adequately reported after an unfortunately early hour, he can see his way to carrying over the debate to another day. I do not ask the right hon. Gentleman to give an answer now, because he will perhaps wait to see how the debate goes before the appeal can receive its full force. But I am so clearly of opinion that one night is not adequate that I shall certainly vote against the suspension of the eleven o'clock rule.

MR. ASQUITH: I think the House will agree that the Government have given the earliest possible opportunity for the discussion of this very important matter, recognising, as they do, its urgency. At the same time the House must remember that what we are discussing is not in the nature of a permanent solution, but merely the step to be taken for the moment to deal with a particular emergency. I think that with the suspension of the eleven o'clock rule adequate time ought to be afforded for the discussion. The Government are really not able to give

another day without curtailing the space which they think ought reasonably to intervene between the Committee and the report stage of the Licensing Bill. In these circumstances we must move the suspension of the eleven o'clock rule.

#### SELECTION (STANDING COMMITTEES).

Sir WILLIAM BRAMPTON GURDON reported from the Committee of Selection; That they had discharged the following Member from Standing Committee A. (in respect of the Tuberculosis Prevention (Ireland) Bill): Mr. Devlin; and had appointed in substitution (in respect of the said Bill): Mr. Mooney.

Sir WILLIAM BRAMPTON GURDON further reported from the Committee;

That they had discharged the following Member from Standing Committee C. (in respect of the Coal Mines (Eight Hours) (No. 2) Bill): Mr. Baldwin.

Reports to lie upon the Table.

#### BUSINESS OF THE HOUSE (UNEMPLOYMENT).

Motion made, and Question put, "That the Proceedings on the Motion relating to Unemployment, if under discussion at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Mr. Asquith*.)

The House divided:—Ayes, 228; Noes, 68. (Division List No. 289.)

#### AYES.

Abraham, William (Cork, N.E.)  
Acland, Francis Dyke  
Adkins, W. Ryland D.  
Agar-Robartes, Hon. T. C. R.  
Ainsworth, John Stirling  
Alden, Percy  
Ambrose, Robert  
Asquith, Rt. Hn. Herbert Henry  
Baker, Sir John (Portsmouth)  
Baker, Joseph A. (Finsbury, E.)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Barnard, E. B.  
Barnes, G. N.  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Bell, Richard  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Bethell, Sir J. H. (Essex, Romf'd)  
Bethell, T. R. (Essex, Maldon)  
Birrell, Rt. Hon. Augustine  
Bottomley, Horatio  
Boulton, A. C. F.  
Bowerman, C. W.  
Brooke, Stopford  
Buchanan, Thomas Ryburn  
Buckmaster, Stanley O.  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hn. Sydney Charles  
Byles, William Pollard  
Carr-Gomm, H. W.  
Crauston, Rt. Hn. Richard Knight  
Chance, Frederick William  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Churchill, Rt. Hon. Winston S.  
Cleland, J. W.  
Clough, William

Clynes, J. R.  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Corbett, C. H. (Sussex, E. Grinst'd)  
Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.  
Cox, Harold  
Craig, Herbert J. (Tynemouth)  
Crooks, William  
Curran, Peter Francis  
Dalmeny, Lord  
Davies, Ellis William (Eifion)  
Davies, M. Vaughan (Cardigan)  
Davies, Timothy (Fulham)  
Dickinson, W. H. (St. Pancras, N.)  
Dilke, Rt. Hon. Sir Charles  
Dillon, John  
Dobson, Thomas W.  
Duckworth, James  
Duncan, C. (Barrow-in-Furness)  
Duncan, J. H. (York, Otley)  
Dunne, Major E. Martin (Walsall)  
Erskine, David C.  
Essex, R. W.  
Esslemont, George Birnie  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Field, William  
Foster, Rt. Hon. Sir Walter  
Freeman-Thomas, Freeman  
Fuller, John Michael F.  
Gibb, James (Harrow)  
Gladstone, Rt. Hn. Herbert John  
Glen-Coats, Sir T. (Renfrew, W.)  
Gooch, George Peabody (Bath)  
Grant, Corrie  
Greenwood, Hamar (York)  
Guest, Hon. Ivor Churchill  
Gurdon, Rt. Hn. Sir W. Brampton  
Gwynn, Stephen Lucius

Harcourt, Rt. Hn. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardie, J. Keir (Merthyr Tydvil)  
Hardy, George A. (Suffolk)  
Harmsworth, Cecil B. (Worc'r)  
Hart-Davies, T.  
Harwood, George  
Haslam, Lewis (Monmouth)  
Hazel, Dr. A. E.  
Hedges, A. Paget  
Helme, Norval Watson  
Hemmerde, Edward George  
Henderson, Arthur (Durham)  
Henry, Charles H.  
Higham, John Sharp  
Hobhouse, Charles E. H.  
Hodge, John  
Holland, Sir William Henry  
Holt, Richard Durning  
Horniman, Emslie John  
Howard, Hon. Geoffrey  
Hudson, Walter  
Idris, T. H. W.  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Jones, Sir D. Brynmor (Swansea)  
Jones, William (Carnarvonshire)  
Jowett, F. W.  
Joyce, Michael  
Kettle, Thomas Michael  
Laidlaw, Robert  
Lambert, George  
Lamont, Norman  
Layland-Barratt, Sir Francis  
Lea, Hugh Cecil (St. Pancras, E.)  
Leese, Sir Joseph F. (Accrington)  
Lehmann, R. C.  
Lever, A. Levy (Essex, Harwich)  
Lever, W. H. (Cheshire, Wirral)  
Lewis, John Herbert  
Lough, Rt. Hon. Thomas  
Lundon, W.  
Macdonald, J. R. (Leicester)

Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Macnamara, Dr. Thomas J.  
 MacVeagh, Jeremiah (Down, S.)  
 MacVeigh, Charles (Donegal, E.)  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Micking, Major G.  
 Maddison, Frederick  
 Mallet, Charles E.  
 Manfield, Harry (Northants)  
 Marnham, F. J.  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Mond, A.  
 Montagu, Hon. E. S.  
 Mooney, J. J.  
 Morgan, G. Hay (Cornwall)  
 Morse, L. L.  
 Murray, James (Aberdeen, E.)  
 Myer, Horatio  
 Nicholls, George  
 Nicholson, Charles N. (Doncaster)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 O'Connor, John (Kildare, N.)  
 O'Connor, T. P. (Liverpool)  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 O'Malley, William  
 Parker, James (Halifax)  
 Pearce, William (Limehouse)  
 Pearson, W. H. M. (Suffolk, Eye)  
 Perks, Sir Robert William

Pickersgill, Edward Hare  
 Pullar, Sir Robert  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro')  
 Redmond, William (Clare)  
 Rees, J. D.  
 Richards, T. F. (Wolverh'mpt'n)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs)  
 Robertson, J. M. (Tyneside)  
 Robson, Sir William Snowdon  
 Roch, Walter F. (Pembroke)  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Scarisbrick, T. T. L.  
 Schwann, C. Duncan (Hyde)  
 Scott, A. H. (Ashton-under-Lyne)  
 Sears, J. E.  
 Seely, Colonel  
 Sinclair, Rt. Hon. John  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Stewart, Halley (Greenock)  
 Straus, B. S. (Mile End)  
 Strauss, E. A. (Abingdon)

Sutherland, J. E.  
 Tennant, Sir Edward (Salisbury)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Toulmin, George  
 Verney, F. W.  
 Vivian, Henry  
 Walker, H. De R. (Leicester)  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, John (Stoke-upon-Trent)  
 Ward, W. Dudley (Southampt'n)  
 Wardle, George, J.  
 Waring, Walter  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 Watt, Henry A.  
 Wedgwood, Josiah C.  
 Whitbread, Howard  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Wood, T. M'Kinnon  
 Young, Samuel

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

## NOES.

Arnold-Forster, Rt. Hn. Hugh O.  
 Ashley, W. W.  
 Balcarres, Lord  
 Baldwin, Stanley  
 Balfour, Rt. Hn. A. J. (City Lond.)  
 Banbury, Sir Frederick George  
 Banner, John S. Harwood-  
 Barrie, H. T. (Londonderry, N.)  
 Beckett, Hon. Gervase  
 Bignold, Sir Arthur  
 Bridgeman, W. Clive  
 Bull, Sir William James  
 Carlile, E. Hildred  
 Cecil, Evelyn (Aston Manor)  
 Cecil, Lord R. (Marylebone, E.)  
 Chamberlain, Rt. Hn. J. A. (Worc.)  
 Cochrane, Hon. Thos. H. A. E.  
 Collings, Rt. Hn. J. (Birmingham)  
 Courthope, G. Loyd  
 Craig, Charles Curtis (Antrim, S.)  
 Craig, Captain James (Down, E.)  
 Craik, Sir Henry  
 Dixon-Hartland, Sir Fred Dixon  
 Douglas, Rt. Hon. A. Akers-

Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Fell, Arthur  
 Goulding, Edward Alfred  
 Guinness, W. E. (Bury S. Edm.)  
 Hamilton, Marquess of  
 Harrison-Broadley, H. B.  
 Heaton, John Henniker  
 Hill, Sir Clement  
 Hills, J. W.  
 Hunt, Rowland  
 Joynson-Hicks, William  
 Lee, Arthur H. (Hants, Fareham)  
 Lockwood, Rt. Hn. Lt.-Col. A. R.  
 Long, Rt. Hn. Walter (Dublin, S.)  
 Lonsdale, John Brownlee  
 Lowe, Sir Francis William  
 Magnus, Sir Philip  
 Marks, H. H. (Kent)  
 Mason, James F. (Windsor)  
 Mildmay, Francis Bingham  
 Money, L. G. Chiozza  
 Morpeth, Viscount  
 Morrison-Bell, Captain

Nicholson, Wm. G. (Petersfield)  
 Nield, Herbert  
 Parker, Sir Gilbert (Gravesend)  
 Parkes, Ebenezer  
 Pease, Herbert Pike (Darlington)  
 Powell, Sir Francis Sharp  
 Randles, Sir John Scurrah  
 Remnant, James Farquharson  
 Renwick, George  
 Sassoon, Sir Edward Albert  
 Sloan, Thomas Henry  
 Stanier, Beville  
 Staveley-Hill, Henry (Staff'sh)  
 Talbot, Lord E. (Chichester)  
 Thornton, Percy M.  
 Tuke, Sir John Batty  
 Winterton, Earl  
 Wolff, Gustav Wilhelm  
 Wortley, Rt. Hn. C. B. Stuart-  
 Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—  
 Viscount Valentia and Mr.  
 Forster.

## UNEMPLOYMENT.

\*MR. ALDEN (Middlesex, Tottenham)  
 in moving—"That this House welcomes  
 the statement of the Prime Minister with  
 regard to the national importance of the  
 problem of unemployment, and approves  
 of the steps proposed to be taken by

the Government to meet the present  
 emergency," desired to say how pro-  
 foundly he was impressed with the  
 change in public opinion during the  
 last few months. They all rejoiced at  
 that change, and they all hoped that  
 it would lead at no distant date to the



ing of some steps towards the permanent solution of this difficult problem. He wished to approach this question from a non-Party point of view. He feared it was not altogether possible, but he was convinced that every man in that House was in sympathy with the genuine aspiration of the working man for honourable and useful employment, and that on all sides of the House they were agreed that some steps should be taken in order to supply him with such employment. He wished he could agree with the hon. Member opposite who was going to move an Amendment which implied that some fiscal reform would bring about a solution of this problem. He could not say that his observation, extending over a good few countries, enabled him to come to that conclusion. He had lately come back from Canada and the United States, where he found a very great deal of serious unemployment. He had talked with labour leaders with the view of ascertaining their views on the subject and almost without exception they were of opinion that protection was no remedy. Mr. Post, a Labour leader in Chicago, a man well known in the labour world, who stood in very high estimation, said—

"General observation clearly indicates that employment in the United States is in fact inadequate and unstable; not only is now, in the present period of hard times from which American industry is suffering, but has been all along. No one can doubt it who realises the universal fear among American workingmen of losing a steady job."

Referring to the distress prevailing in the industrial centres, he added—

"You cannot see much of this from the windows of our Pullman cars, but you can learn it from the lips of those who live and work in and about these points of production. It is sadly true. But could it be true after nearly forty years of protection, if protection protected?"

He was speaking on this aspect of the question not because he wanted to score a point against the Opposition or any member of the Opposition, for if they could convince him that protection or tariff reform was a cure for unemployment, he would join them and go over to their side. He was so sincere on this question that he would willingly join any party which had a complete solution. He might be allowed to quote the official figures of the Labour Department of New York State, for he thought they were conclusive,

though like our own statistics he admitted that they were imperfect for they referred only to skilled trades. In 1902 trade unions with a membership of 95,000 the average idleness for the first six months of the year was 34 per cent. Taking the first six months of any year since 1902, it would not be found that the figures were very promising. The average number of unemployed during the five years was 8·5 per cent. in March and 12·5 per cent. in June. This year the percentage was 37 in March and 30 in June. He knew what some hon. Members opposite might be inclined to say: "You are referring to the United States, and although it is a protected country, it is not on all fours with England."

MR. A. J. BALFOUR (City of London): I rise to a point of order, I do not like to interrupt the hon. Member, but this is really of vital importance. I understood that the hon. Gentleman was going to move a Resolution praising the Government for all they had done and for what they intended to do. As a matter of fact he has said nothing as yet except on the fiscal question. That is an aspect of the broad question of unemployment on which we feel very deeply on this side, but we certainly did not contemplate that it could come in any large measure within the scope of this debate, and I wish to ask how that in your opinion stands.

\*MR. SPEAKER: I think the hon. Member is really anticipating an Amendment which will not be moved. He is really fighting the air in this matter, for he is discussing an Amendment which we shall never reach, and which cannot be reached, because it will be excluded by the first Amendment. I would suggest, therefore, that he should discard that portion of the subject until, if ever, it comes forward, and confine himself to the terms of his own Motion, and, if he pleases, to the terms of the Amendment which will be moved, and not to the terms of one which will not be moved.

\*MR. ALDEN: Of course, I bow to your ruling, but my opportunity will be gone if such Amendments are moved later on. I was under the impression that this Amendment would be moved, and I was meeting the arguments in

advance. I am glad to hear that those arguments are not to be used, and that we can have a plain and practical discussion.

\*MR. SPEAKER: I ought perhaps to make it a little clearer. I understand that the Motion of the hon. Member relates to the steps which have been announced by the Prime Minister, and which are going to be taken immediately, leaving for future discussion what has been called the permanent solution of the difficulty. Well, it is obvious that no question of tariff reform can be an immediate solution of the difficulty because it would require legislation, and, therefore, so far as it relates to tariff reform there can be no Amendment to the Motion now before the House. To begin with, I doubt very much whether it is relevant, and in the second place it could not be moved after the first Amendment standing in the name of an hon. Member has been moved.

\*MR. ALDEN said the matter was, of course, one of national importance and required to be discussed on broad lines. He bowed to the ruling and would proceed with his argument. The proposals of the Government were avowed anodynes and palliatives to meet the present difficulty. That would explain to some extent the position in which he found himself that day. Up to the present, as was well known, he and some of his friends had been in disagreement with the Government on this question, but they were promised—and this it was that had determined his position that day—"a real and effective blow at the permanent causes of unemployment." Whether these promises were destined to meet fulfilment or not, it was not for him to say, but he believed the pledge the Prime Minister had given was sincere and honest, and he thought it would be churlish not to recognise the courage of the Government in facing that stupendous task. Putting aside all these vexed questions as to what would be the permanent cure for the unemployment problem, might he deal with the first part of the Resolution with regard to the national importance of the problem? The Leader of the

*Mr. Alden.*

Opposition had asked a Question that day which seemed to him to be of great value, and to point in a direction, at any rate, in which it was important for them to move. The first thing they had to do was to get information. He did not mean by that that they had at present no information at all, but what they wanted was accurate information. He would suggest as one thing which the Government might do immediately that they should circularise all the districts where there was great distress or want of employment, and request the distress committees or, failing the distress committees, the local authorities to make a census by means of a house to house canvass of the districts to ascertain in that way the number of the unemployed, and to classify them when they had been enumerated. That had been done before in England with great effect. It was discovered that a large number of the unemployed did not register because they found that they failed to get work when they did so register. Many of them were skilled workmen who were receiving out-of-work pay, and they felt that they were to some extent demeaning themselves by putting their names on the labour registers. The actual number of unemployed was nearly double the number shown by the registers. The first thing to be done was to speed up the labour bureau and registry in order to get some accurate knowledge of the number of unemployed and to get them properly classified. Whether the Board of Trade or the Local Government Board should do that work was to him a matter of no moment. He would make no other suggestion to the Government, though he imagined it might be thought unnecessary, namely, that there should be a permanent and consultative committee, not sitting just at moments of emergency but always sitting, or always ready to sit to meet the difficulty of unemployment. He did not think it was possible for anyone to survey and investigate all the numerous schemes of work which were likely to be put forward in the near future. There were schemes of afforestation, land reclamation, foreign reclamation, the improvement of canals, and so on, and it seemed to him that these were matters for a committee of experts. The least they could do was to have

committee of the Cabinet, the members which would deal with their own respective departments from the point of view of employment. He hoped the Government would see its way to appoint such a committee in order that the national importance of the question might be duly recognised and the national responsibility fairly faced. He thought it would appear to every Member of the House that this was a question which could not be solved locally. He had never heard anyone say that this was merely a local question, and yet they were somehow or other unable to face the question nationally owing to lack of machinery and organisation. Public opinion was still in favour of the present social and industrial arrangements. Public opinion still strongly supported the competitive system. That being so, he said it was the duty of the community to endeavour to meet the difficulties which were inherent in the system. The community could do that in three different ways. First, there was organisation, for without better organisation than they had at present the solution of the unemployment problem was impossible. Then they needed to encourage the local authorities. The President of the Local Government Board must encourage them to do their duty and to play their part. If they were to carry out that duty cheerfully and successfully they must be met in a very frank and generous spirit. At the present time when there were hundreds of thousands of men out of work, and when there were many hundreds of thousands of women and children dependent upon these men, he thought it was necessary for the Government to be open-handed in dealing with this matter. He would suggest that whatever subventions were going to be granted should be granted as speedily as possible, so that local authorities might know what amount of money they might have to reckon with and what it would be possible for them to do in the future. And, finally, they could offer an alternative of work. He was not at all in agreement with those who thought that it was impossible for the State to find useful work. He thought he could mention half a dozen men in the House who, if they sat in council for

only half an hour, could suggest schemes of work which would meet with the approval of the House, and which could be usefully carried out so as to afford employment to 100,000 men. Why was it not possible for those schemes to be carried out at the present juncture? Because nearly all those schemes of work depended upon getting hold of the land. What he meant was that nearly all the land—waste and derelict land, which they would wish to use for special purposes—was land that could not be obtained without buying it from private owners. He did not wish to say that many private owners were not willing to sell their land, but that would mean a long period of negotiation and the while those negotiations were proceeding people were starving. Therefore they must look to the Government to find ways and means for obtaining that land in the future. That proposal, however, must be reserved for next session. As to the present emergency, he had already spoken of the helplessness of the distressed districts to face the problem. He would give a few reasons for that statement. Nearly all the distressed localities which had a large number of unemployed were the most highly rated. Take his own district, Tottenham. The rates there amounted to 10s. 7d. in the £. and they had recently gone up 6d. It was the same with West Ham, Walthamstow, East Ham, and other districts. If they went to the North of England the case was very little better. The fact of the matter was that those highly rated boroughs and districts could not afford to help the unemployed. They had a larger number of poor than other districts; they had the children of the poor to educate, which was a very costly business; and they had a large number of unemployed. He was sure that these poverty-stricken districts deserved the sympathy of the House. The men who lived in them and the labourers who worked in them were not the men who created wealth for the district, but for London. One could see hordes of these men pouring into trains in order to come to London to work. Tottenham, Edmorton, West and East Ham, Walthamstow were nothing but the dormitories of London. That being so either London or the Government should give some

assistance. He would prefer that the Government should give it, for, after all, London had its own problem of unemployment; it had 17,000 on its labour registries to-day, and these men had to be assisted. Let him say that he was at one with the position which the Government had taken up in regard to the 1d. rate. It was useless to ask Tottenham or West Ham to employ the men out of work and pay them a fair rate of wages out of a 1d. rate, even if they could afford to put an additional 1d. on the existing high rate. Although a 1d. rate would be of some value to other towns and districts it was of no value to those highly rated towns which had large numbers of unemployed. It seemed clear that they must have schemes of work submitted to them by the Government if ever they were to deal with the total distress to be found elsewhere than in London, and he believed that the Government were prepared to consider such schemes. He would do his best and he was sure that hon. Gentlemen opposite would do their best to back up the Government in carrying out such schemes. He would urge the Prime Minister and the President of the Local Government Board not to wait for the Report of the Poor Law Commission. Those who knew what was going on in the Poor Law Commission were perfectly well aware that there could be no unanimous Report. Not only that; there would be no Majority Report that could be considered. [OPPOSITION cries of "Oh!"] It was fairly well-known that the Majority Report would advise that the unemployed should be handed over to the tender mercies of an extended Poor Law. [OPPOSITION cries of "How do you know?"] He only said that the general impression had got abroad—of course he did not bind down himself to it—that the majority of the Poor Law Commission, led by the Secretary of the Charity Organisation Society, would make that recommendation. But whether that was so or not, it was useless to wait for the Report of the Poor Law Commission, because it would not be anything like unanimous. [OPPOSITION cries of "What do you know about it?"] He spoke from some knowledge of the subject, and therefore it would be advisable to take any action that was deemed necessary

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before that Commission had reported. The Prime Minister in his speech had said that he would endeavour to impart more elasticity to this work of helping the local authorities to assist the unemployed. He trusted that this would be the case. He had just one suggestion to make in regard to the Unemployed Act of 1905. He thought the right hon. Member for South Dublin would agree that it would be desirable to accept the suggestion which he made, and he believed that it was possible. Section 2 of that Act said—

"This provision shall extend to any municipal borough or urban district with a population according to the last Census for the time being of less than 50,000 but not less than 10,000, if the council of the borough or district make an application for the purpose to the Local Government Board, and the Board consent."

All he asked was that the Government should, as far as possible, allow the borough or district councils with a comparatively small population—approximating 10,000 rather than 50,000—to appoint distress committees. That would improve the machinery working at the present time and make it much more possible for the unemployed in many of those smaller districts to obtain relief. He saw an Amendment down on the Paper which seemed to imply that the measures of the Government were uneconomic in their character. He believed that the hon. Member for Preston had stated that these proposals were merely to provide preferential employment for the unfit. He wished the hon. Member would go down to Preston and say that at a meeting of the unemployed. If that were accepted in his constituency the answer to the hon. Member was that the unemployed in Preston must be a very bad lot. He had had experience of the unemployed in many cities, and it was entirely opposed to that of the hon. Gentleman. He might be allowed to quote some figures as to a census of the unemployed made in West Ham by the Charity Organisation Society by their own investigators in order to check that made officially by the West Ham authorities, to test whether the registered unemployed were genuine or not. The unemployed were divided into four classes. Of the 4,194 men on the register 49, or 1·2



cent., were regular artisans; 648, 5.5 per cent., were casual artisans; 1,662, or 39.6 per cent., were casual labourers; 825, 19.6 per cent., were men who did work, could not or would not work; 1,010, or 24.1 per cent., were unemployed. Class 4 was sub-divided into three sections. Those who were past work, 293, or 7.0 per cent.; those who were prevented from working by illness, 157, or 3.7 per cent.; and of the whole 4,194 those who would not work through drink or indolence were 375, 8.9 per cent. He contended that these figures proved that the unemployed problem was a real problem and not a problem of the unfit or inefficient. If he had misunderstood the hon. Member for Preston he apologised; but he did understand him to say that the Government proposal was one to give preferential employment to the unfit.

MR. HAROLD COX (Preston): What was said was that the unfit would get a reference.

\*MR. ALDEN said that he would give the hon. Member more evidence. He had had a talk with the manager of the works at Tottenham who took on men only of a very high standard. He asked his question: "Are these men who apply to you for work genuine unemployed; do they really want work?" And his answer was: "I could get 1,000 men in two or three days time quite up to my standard." He was quite sure that many hon. Members would agree from their own experience that that was the case. The hon. Member for Preston was extremely kind-hearted, a humane man, an extremely honest man. If he were not an honest man his constituents would not allow him so much latitude as they did. But he was obsessed by the fear of an economic law. He commended to the hon. Member the words of Professor Marshall, of Cambridge—

"The doctrine of the economic man has become an engine for keeping the working classes in their place."

It was really time that they remembered that economic laws were modified by considerations of humanity, and that gradually they would be so shaped and modified that in times like the present the

problem of unemployment could be dealt with without any questions at all. Why was it uneconomic to assist the unemployed by starting relief works? He agreed with the right hon. Gentleman the President of the Local Government Board that relief works were an evil, but they were a necessary evil at the present time. If he were asked whether he considered the help given by the Poor Law or that given by relief works was the more economic, he would certainly say that the former was not the system which would recommend itself to the economist as against the relief given by relief works, properly supervised. Last year Tottenham engaged 1,827 unemployed. The estimated cost of the work was £6,046, and the cost at which it was actually carried out was £5,705. There might be all sorts of explanations for that. It might be that the engineer's estimates were too high, but the fact remained that the work was carried out under proper supervision, and the men who were engaged upon it were carefully chosen. Relief works, properly carried out and properly supervised, need not be disastrous from the economic point of view. They were infinitely to be preferred to the relief afforded by the Poor Law as at present administered. It was pointed out by a Member of the present Poor Law Commission some years ago that the relief given by relief works was the same in its nature as that given by the Poor Law, though the recipient in taking it thought that he was not a pauper. But that was an important psychological distinction. It was absolutely necessary that a man should not think he was a pauper in accepting this relief. If he did he was degraded in his own estimation, and went rapidly down the scale. They wanted the man in receipt of relief works to feel that he was giving something in return. He was persuaded that it was the one expedient left for the immediate emergency and that under proper supervision and ordinary care relief works were not the great evil they were represented to be. He believed in the sincerity of the pledge that the Prime Minister had given. He believed the right hon. Gentleman was sincere when he gave that pledge. He should await the future action of the Government, and

so long as the Government acted up to its promises and its pledges they were sure not only of his support, but also of the support of many who sat near him. He begged to move.

\*MR. J. M. ROBERTSON (Northumberland, Tyneside), in seconding the Motion said his hon. friends on the Labour benches had put down an Amendment which was apparently one of condemnation, but his hon. friends would agree with him that the policy now under discussion represented an immense advance in political thought in one generation. The mover of the Motion had spoken of the great development during the last twelve months. As to that he was not quite clear, but those who remembered the utterances of Liberal statesmen a generation ago must have noticed a very great change. It was then said by a Liberal statesman that no Government could undertake to deal with such a trouble as unemployment, because "Man is born to trouble as the sparks fly upward." But there was not a Conservative now in the House, with the possible exception of the hon. Member for Preston, the champion of partially obsolete causes, who would maintain the general proposition that it was no part of the duty of a Government to face the evils of unemployment. It was true that the interest shown by the Opposition, in relation to this Motion, was due to other considerations; nevertheless he was glad to see that the Opposition, as a body, took an interest in the question of unemployment, though that interest might be somewhat factitious. It was at least a historical fact that during ten years of office hon. and right hon. Gentlemen opposite had not made a single effort to deal systematically with this question. But it was all the more creditable to hon. Members opposite that they should show a real concern to lessen as much as possible the evil of unemployment in the first of the two bad winters in which it was prophesied there would be great unemployment. It was, however, remarkable that when the right hon. Gentleman the Member for West Birmingham sought re-election in 1900 he claimed re-election on the score of years of unexampled prosperity which

*Mr. Alden.*

he represented to be the result of his party's policy. In 1900 there was certainly no recognition upon the Opposition side of unemployment as a standing evil. On the Radical side, on the other hand, there had always been a doctrine of intervention. More than a generation ago John Stuart Mill declared that of all distressed persons, men out of employment through no fault of their own, had the best kind of claim to the earnest and kindly consideration of any Government, and he pointed out that inasmuch as the criminal poor had to be provided for while under detention, to leave the honest poor out of employment, unprovided for, was simply to put a premium on crime. But John Stuart Mill had no constructive policy. The difficulty was how to grapple with this problem, even with temporary and palliative measures. He was not sure that the Prime Minister was not too modest when he called his proposals mere palliatives. Palliatives which relieved the distress of many thousands were important measures. He was glad to second this Motion, because he considered the policy pursued was an honest attempt to grapple with the evil, and was on the whole the best line of policy to follow. Of all methods of providing work for unemployed in circumstances of this kind the extension of employment by the action of local authorities and others in promoting works of construction was the soundest. He did not allege that it would cover the whole field of unemployment. He would simply say, in justification of the policy of the Local Government Board, that it was the right course to strive to the utmost to set all local authorities to work to employ labour on considerable works, and to leave relief works as a last resource. While he agreed that relief works were better than Poor Law relief, still they were not much better, and they had this drawback, that if the relief works turned out to be the farce that they often had in recent years there was an element of demoralisation set up which almost equalled the demoralisation and the deterioration which became apparent when people were in receipt of Poor Law relief. It was said by the opponents to this Motion that the proper

y of dealing with this question would to set up a Government Department.

remembered on a former occasion the hon. Member for West Ham saying—

In the name of all that is sane in Socialism we do not seek to set up Government industries for the unemployed."

The hon. Member then received, he was glad to see, the assent of all hon. members on the Labour benches, and that fact should be kept in mind to-day. He associated himself with the hon. mover of the Motion. Their support of the Government's policy in this matter turned on the promise of the Government that these measures of temporary alleviation and betterment would be followed by a systematic policy to which the country could look to stop a recurrence of this evil. He would not attempt to forecast that policy, but would simply say that to be successful it must involve and force the utilisation of the land. That was fundamental. It was finally a matter of the promotion of production. But beyond that he thought, even in regard to the present measure, it might be possible to borrow certain methods, of which they had certain examples elsewhere, to deal with unemployment generally. When in Germany, in the year 1879, the Imperial Government resorted to a policy of tariffs, one of the first effects was to create an enormous amount of unemployment involving the existence of 400,000 idle men travelling the roads of Germany seeking work. It was that fact which in Germany led to the creation of a number of institutions to grapple with this problem. He did not praise all these institutions, but some of them contained things it would be well to copy. Whilst it was true that in some German towns three men might be seen seeking for one vacant post, on the land there were more openings than men seeking work. That was a great relief to unemployment in Germany, and that was a matter in which a lesson might be learned from the German system. With regard to the theoretical right of a man to work, he did not see how a right could be said to vest in an individual to demand of society something which society was not organised to provide. He thought that form of appeal was the more to be deprecated, because there was a more persuasive appeal, which

was that it was in the interest of society to organise in every way to prevent unemployment. Unemployment tended to impoverish the State, and therefore it was the business of the State to seek to guard systematically against unemployment. If the wealth of the country fell off it was the business of the Government to face that question and seek to remove the evil. When his hon. friend, in moving the Motion, said something about economic laws which would have to be modified, he inwardly dissented from the hon. Gentleman, because he could not see how an economic law could be modified. If an economic proposition required to be modified, then it had not really stated an economic law. It was to the interest of the State to insure the maximum of production, and it was because this policy would tend to promote the maximisation of production that he was with his hon. friend. He would be sorry to see this matter put upon an economic basis alone, because there was also a moral basis to be considered. All social progress presented itself, morally, in the form of extension of sympathy, and materially in the form of extension of co-operation. It was because the policy under discussion implied and promoted, and in some measure achieved these things that he was glad to second his hon. friend's Motion.

Motion made and Question proposed, "That this House welcomes the statement of the Prime Minister with regard to the national importance of the problem of unemployment, and approves of the steps proposed to be taken by the Government to meet the present emergency."—(*Mr. Alden.*)

\*MR. KEIR HARDIE (Merthyr Tydvil) moved the following Amendment—"That whilst recognising the importance of the promise of the Prime Minister to introduce legislation next session for dealing with unemployment on a permanent basis, and whilst welcoming the promise to administer with more elasticity the existing Act and to provide more money to make that possible, this House is of opinion that the proposals made are quite inadequate to meet the pressing needs of the unemployed this winter, and that the responsibility for the absence of proper machinery even for carrying out existing

powers, and the general unpreparedness of the country to meet the present unemployed crisis is due to the neglect of the Government to make provision for a state of affairs which was clearly foreseen." He said the most extraordinary feature of the speeches to which they had just listened from the hon. Members who moved and seconded the Motion was the very careful way in which they had steered clear of the Government proposals. The hon. Member for Tottenham had, he knew, done a very great deal of self-sacrificing work in the cause of the unemployed, but he had never undertaken any work which had so excited his (Mr. Keir Hardie's) sympathy as the task which he had just performed. The hon. Member for Tyneside had embarked on a very abstruse discussion on the sanctity of economic law. There was no such thing as economic law outside the four corners of the multiplication table. Certain propositions were laid down by economists, and certain deductions drawn from them. That was all the political economists had ever done. Two and two made four. When they had said that, they had exhausted economic law. The hon. Member further said that the right to work was not a right which the State would recognise, but the State never did recognise a right, political or civil, unless it had been forced upon it by opinion outside. The franchise was a case in point. When the right to live was assumed together with the right to be protected by the State the right to work must be deduced from that. He should have thought the right to be employed was no longer denied, except by such antediluvian political economists as the hon. Member for Preston. They were not there to consider the abstract proposition of the right to work. The only question before the House was whether the Government proposal was adequate to meet the emergency in which they now found themselves. He hoped that nothing was going to be done that would give the discussion a party bias. The mover of the Motion steered clear of that fatal point, but he was afraid the seconder did not follow his example. He had alleged that the Party on the Opposition benches had been in power for ten years without doing anything.

*Mr. Keir Hardie.*

\*MR. J. M. ROBERTSON: I said systematically.

\*MR. KEIR HARDIE said the only Act passed by any Government dealing systematically with unemployment since the days of Queen Elizabeth was the Act of 1905 introduced by the right hon. Member for South Dublin. It was a curious fact that the only power the Government had at their disposal of distributing the proposed money grant was the power given under that Act. Emigration was no longer available as a remedy for unemployment. As the result of emigration they had, as the hon. Member for the Tottenham division had said, large numbers of unemployed in Canada and elsewhere. In the city of Toronto alone 10,000 heads of families this winter were receiving relief owing to unemployment. Those figures were obtained from Mr. McLeod, the Chairman of the Relief Committee. The policy of dumping down our out-of-works in the Colonies had strained the loyalty of large numbers of workpeople in those Colonies. The very name of Englishman was being held in disrespect in Canada owing to the quality of emigrants now sent out under the distress committees for unemployment. The real point before the House was the adequacy of the statement of the Prime Minister to meet the emergency which the right hon. Gentleman had told them the other day was neither unanticipated nor unprovided for, and yet, strangely enough, this crisis which was foreseen and which they were told was provided for did not seem to have led the Government even to take elementary steps to find out the extent of the problem with which they had to deal. It was said that the Government had no figures to assist them in dealing with this matter. In times past chunks of figures had been thrown to the House with regard to exports and imports as proving the prosperity of this country. If anything of the kind was attempted that afternoon he would forewarn the House that such figures were no longer to be taken as a reliable index to the state of the labour market. They could, consistently with an increase of import and export trade, have an actual



crease in numbers employed. Constantly improving machinery and the better organisation of industry made it possible for the output to be increased, and the number of men and women employed to be actually decreased. He had attempted to make the best estimate he could with the means at his disposal as to the extent of the evil. In August last, when the House was about to be adjourned without having done anything to meet the coming winter, the Right to Work Council, of which he happened to be a member, issued a circular letter to the trade unions and other kindred bodies seeking information as to the extent of unemployment. They had now got returns from the trade councils and the chief officials of trade unions. The Board of Trade *Labour Gazette* gave the number out of work in certain trade unions as 9·4 per cent. Might he once more remind the House that this figure represented the number of members of trade unions who were at that moment receiving out-of-work pay. Every trade union did not pay out-of-work allowance, and those who did so only paid for a limited period, at the end of which a member ceased to draw his pay, and no longer appeared in the Board of Trade Returns. Therefore, 9·4 per cent., serious as the figure was, did not necessarily represent the full extent of the evil. The figures he had were for September, and were as follows: Trade unions showing less than 5 per cent. of unemployed, 49; over 5 per cent., and under 10 per cent., 33; over 10 per cent., and under 20 per cent., 26; over 20 per cent., and under 40 per cent., 12; over 40 per cent., and under 50 per cent., 13. He had a list of unions which were not connected with either the shipbuilding industry, the building trade, or the engineering trade, all showing large percentages of unemployed ranging from 45 per cent. in connection with the United Society of Smiths and Hammermen down to 10 per cent. in connection with the Amalgamated Society of Brush-makers. Taking the figures altogether, and assuming, on the most conservative estimate that could be made, that only 15 per cent. of the skilled artisans were out of work—and let it be remembered that in the shipbuilding industries the

percentage was 25—they had the very conservative estimate of 750,000 skilled artisans out of employment in September, many of whom had been unemployed for twelve, fifteen, eighteen months, or two years. If they came to unskilled labour, he was sure that there was no Member of that House or person out of it that knew anything about employment, who would dispute his statement that the number of unskilled people out of work could always be safely set down at double the number of unemployed skilled artisans. If that were so, the number of unskilled workers unemployed was 1,500,000, making a total of skilled and unskilled of 2,250,000 unemployed. If they allowed that each of these men represented in addition to himself two dependents—again a very moderate estimate—they got the appalling total of 6,750,000 as the number of persons whose case was being considered by the House that afternoon. He submitted that whatever opinions they held about Socialism, tariff reform, land reform, or any other question of the like kind, this was a human problem which must be faced and solved. They could not allow this enormous mass of men, women and children to face this winter without some kind of adequate provision being made for them. His estimate about skilled and unskilled labour had been borne out by the experience of the distress committees. The President of the Local Government Board, speaking on 29th July of this year, and reported in the next morning's *Times*, said that ninety-eight distress committees were at work, and with these 90,000 men and 3,000 women had been registered; 54,000 were qualified, of whom 37,000 received work. The young and the strong were affected. Of those between twenty and thirty years of age, there were 80 per cent.; and between thirty and forty years of age, 25 per cent. Of those registered, 70 per cent. were labourers or builders, leaving 30 per cent. skilled artisans. These figures were for the year 1907, and the skilled artisans who applied to the distress committees had reached a very low ebb indeed. And if skilled artisans to the extent of 30 per cent. applied in 1907 for employment, then

God only knew how these people were living at this period of 1908.

Now he came to the Government proposals. First, with regard to the penny rate, the Prime Minister, who he was sorry to see was not at present in his place, appeared to be under a misapprehension. The suggestion made from the Labour benches to the right hon. Gentleman and to the Government was not that the local authorities should be authorised or empowered to raise an extra penny rate to deal with unemployment. Under the Unemployed Workmen Act of 1905 the distress committees had power to spend with the sanction of the Local Government Board up to the extent of a penny rate. They might spend that rate for certain purposes. They might not spend it upon wages, and the suggestion from the Labour benches was that the embargo which prevented their spending that money for wages should be removed. That was the only suggestion. The Prime Minister spoke lightly of the sum likely to be raised by a penny rate, yet he admitted that it would amount in the distress areas to £370,000, or £70,000 more than the Government proposed to spend. Comparatively, therefore, it could not be called a small sum. There were some ways in which the distress committees could assist the unemployed which would not be possible to a local authority, and the proposal from the Labour benches was that the distress committees should have their hands free to grapple with the problem during this winter. Might he say generally with regard to the local authorities that there was nothing new in the proposal which had been made by the Government; it was as old as the days when the right hon. Gentleman, who was now President of the Local Government Board, was carrying the red flag of the unemployed in Trafalgar Square. In that very year the President of the Board of Trade issued a circular to the local authorities calling upon them to expedite and antedate any work they had in hand; and that policy had been pursued regularly every distress year since. To put this forward, then, as something special to meet the crisis now upon them was misleading

*Mr. Keir Hardie.*

the House and the public outside. There was nothing special about it. In his speech on Saturday the right hon. Gentleman had given as the true reason why local works had not been proceeded with, that for a number of years after the Boer War the money market was tight, the rate of interest was high, and the municipal authorities did not undertake works which could be delayed. As the President of the Local Government Board said, money was now cheaper, and the local authorities were trying to make up arrears of work, yet in face of this it was alleged that this proposal of the Local Government Board was a special means to meet the distress with which they were now face to face. Then they came to the other step taken by the Government, that of enlisting now instead of later on 24,000 men of the Special Reserve. The remarkable fact, which appealed strongly to some of them, was that the Government thought that £300,000 was enough to meet the requirements of 6,500,000 of decent people. [MINISTERIAL cries of "No."] Yes; that was the position. ["No."] Hon. Members might say "No," but he had listened to the mover and seconder of the Resolution to hear what else the Government had proposed, and the only proposition was a £300,000 special grant to meet the needs of the unemployed.

MR. ALDEN: I said that the pledge of the Government was that this amount should be supplemented.

\*MR. KEIR HARDIE: That may be so, but the Prime Minister's pledges have been broken before in regard to this matter. Continuing, the hon. Member said he was not now speaking in the region of prophecy; he was addressing himself to what was before the House namely, the promise of £300,000 for nearly 7,000,000 of decent people. It was the old old story. If money was wanted for preparations for war it could be found in abundance. It was only where it was wanted to preserve human life that there was stinginess in the way it was doled out. He should have thought the Government would be above using a crisis like the present as a means of completing a scheme of their own creation. Now he came to the Post Office,

most fraudulent part of the scheme. The country was told that 8,000 men were to be employed, and now they learnt that it was done every year. He learned, too, that the bulk of the men were only employed for two weeks. That morning he had a call from a man who was out of work.

He informed him that he was a supporter of the Conservative Party, and had some time about coming to him, but he showed him the reply he had had to his application to be taken on at Christmas a few days after the statement of the Prime Minister. This was how it read—  
“It was on a printed form; evidently the authorities at the Post Office were prepared for what was going to follow the Prime Minister’s speech—

“With reference to your application for temporary employment at the Post Office in the coming Christmas season, I regret to have to inform you that no such employment can be given you here as all the men required at this office have already been obtained.”

Now came the central fund. In the first place, they had no guarantee that the money would be spent. There had been grants of £200,000 in the past two years, and in neither year had the money been spent. It was most significant that they were informed that afternoon that the money was only to be voted to distress committees. There were large areas of the country in which there were no distress committees, but in which there was much distress. In South Wales one miners’ union had already exhausted its funds in giving relief to its members, and the whole Welsh coalfield was to be levied to provide a further relief fund. But there was no distress committee. Was the old niggardly cheese-paring policy which had brought such discredit upon the Local Government Board during the last two years to be continued in the spending of this money? If so, the grant was meant more for mere window-dressing than for practical purposes. The difference in cost between work done under distress committees compared with ordinary contractors was to be made good. But what about skilled artisans? Were they to receive no recognition from the Government at such a period? Was the man who made some provision against unemployment through his trade union to be shut off from sharing in the fund? That appeared

to be the policy as laid down at present. Perhaps the hardest case of all was that of unemployed women. Workshops and other means of assisting women were limited and restricted on every hand. Was nothing more to be done to relieve them? And what about provision of meals for hungry school children? There were agencies all over the country, both public and private, for the provision of food to such children at school and at home; could not part of this money be given to assist these funds to make more adequate provision for this purpose? If it was left to the Local Government Board to distribute the money, he had the greatest fear of what would happen during the coming winter. He would strongly press upon the Government the advisability of not leaving this grant to be distributed by the Local Government Board, but to give them either a special Committee of the Cabinet or of the Whole House to supervise distribution. If it was left to the Local Government Board every application would be viewed in the narrowest possible light, and would be subjected to the narrow scrutiny which the law imposed upon the ordinary Local Government Board work. But if it was given to a Committee, the human claims of the case would be considered rather than the strict legal interpretation of the application. He strongly urged that this course should be taken. An extra grant of £100,000 was to be made this winter, which would make in all £300,000, representing 3½d. a head of the number of people requiring relief. He asked that the Government should take further and more adequate steps to deal with the situation. The local authorities were being urged to speed on their work; why did not the Government set an example in other Departments than the Admiralty? Had the Commissioners of Woods and Forests no land that could be turned to account? Had the First Commissioner of Works no public buildings or improvements to put in hand? The responsibility for the country finding itself in its present unpreparedness rested entirely and exclusively with the Cabinet. Everybody except the President of the Local Government Board knew that the crisis was upon them. On five separate occasions the Labour Party had brought the

subject before the House this session. Those of them who had brought the question forward had been stigmatised as panic-mongers, political mischief-makers, Jeremiahs, exploiting the unemployed for party interests. Hon. Members cheered. Let them assume that those taunts were true. That did not justify the Government in not having taken measures. The Unemployed Act Amendment Bill brought forward by the Labour Party had been denounced, misrepresented, and lied about by members of the Government, especially when seeking re-election. The proposal that that Bill contained was that there should be placed upon the nation as a whole, locally and nationally, the obligation to find work for those out of employment, or, failing work, food. The Prime Minister eulogised the President of the Local Government Board the other day. It was essentially one of those occasions where to excuse is to accuse. If the work of the Department was not its own justification their eulogies would only accentuate the failure. Each time they pressed this matter upon the attention of the Government they were told that they had to wait for the Report of the Poor Law Commission, which was to have appeared in September or October, and which had now been postponed till March. They could not wait for any Report of any Poor Law Commission. This question of unemployment had been shelved from year to year, and from Government to Government, with the one solitary exception to which he had referred, and even that Act, under the present Government, had been narrowed down to its utmost limits. Part of the Hollesley Bay scheme was to acquire a second estate to which men could be drafted after their sixteen weeks training in the colony itself. The right hon. Gentleman the Member for the City of Dublin, during his tenure of office, sanctioned the idea of the second estate being acquired, but when the present President of the Local Government Board came into office he put his foot down and prevented that scheme being carried out. They felt strongly on this subject, and if they said strong things about the Local Government Board, it was

*Mr. Keir Hardie.*

not because of any personal bias—[MINISTERIAL cries of "Oh, oh!"]—but because they felt keenly that a Department, specially charged with the responsibility of dealing with the question, was the old man of the sea about the neck of the Government in this very matter, and they could not afford to sit quiet and allow that state of things to continue. They asked for some declaration from the Government of a further extension of their proposals. He would say, as he had said before, years ago, that if these people were to be placed outside the law they had no right to expect them to obey the law, and if the worse came to the worst he should not content himself with speaking from the sanctuary of a seat in Parliament, but would go amongst his own people who were suffering from hunger and cold, and he would take the responsibility, and the consequences, for the advice he would give them. The country was in earnest in this matter, and he wanted the Government to reflect the feeling of the country by doing something adequate to remove the scandal and the reproach of men, women, and innocent children dying of hunger in the capital of the Empire, the richest city on the face of the earth. He begged to move.

MR. CROOKS (Woolwich) said they had always been placed in a difficult position by an Amendment of this character, because it invariably took a personal turn. He had always tried to point out that this was not a personal but a national matter. For the twentieth time certain statements had been made, certain bogeys stuck up, for the purpose of being knocked down again, but they had no real existence, although they were good enough for a fight. He complimented the Prime Minister upon his statement, but he sympathised with him because he had been obliged to trot out a stage array of figures from the Local Government Board. He had heard those figures until he was tired of them, and there was nothing in them. Every President of the Local Government Board—and he remembered eight or nine—got out the same kind of figures, and they amounted to this, that: "You had only got to pawn your shirt



nd live on it." That was the effect of the statement, and those who wished to persuade them that that was dealing with the unemployed did not appreciate the fact that the Elementary Education Act was passed in 1870. They were told that they must be very careful what they did for the unemployed, because all the time they were sapping the backbone of the working-men who had been the safeguard of the British nation. Something had been said about the thrifty working-man on Saturday, but he was like the suffering ratepayer, for they could always hang a story on him. Who had created the thriftless working-men? The continued neglect of the Government. They talked about the working-men making no provision when they were in work for those bad times which must inevitably come. Out of what? Out of wages? There was a class of men in the docks who held a B ticket. They knew what the hon. Member for West Ham would say about the man with a B ticket. He knew of the case of a man with a B ticket who had been waiting at the docks for eight weeks, and he had not got an hour's work. Fancy reading that man a homily upon thrift. Their system created the worthless men. Many of the people to whom this sort of thrift had been preached were teetotallers and trade unionists, and even then had had to walk about on the uppers of their boots. That was wicked, to say the least of it. Nothing took the manhood out of the nation like compulsory rest. The Government ought not to interfere with the manly independence of the nation, and find in it an excuse for doing nothing. The Prime Minister had trotted out a list of figures of the loans granted to the various local authorities, but he was getting a little tired of those figures, because he had seen them in season and out of season. What had they always asked for? That in times of plenty some provision should be made for times of scarcity, want, and distress. Why had the Government not done this? The Prime Minister would be a little bit surprised to know that the concession he made on Wednesday had added considerably to their burdens and trouble in London. The Government had promised to give £300,000 where they had given £200,000 before.

Even when the grant was £200,000 they did not spend it all, and yet men were starving in the streets, and women were praying and beseeching for a loaf of bread for their little children. He had seen the children clinging to their mothers' skirts, and he had heard them saying: "Come home, mammy; I am so hungry." They knew how the Local Government Board had told them that it was no part of its duty to adjust social inequalities. What was the House of Commons created for? To adjust social inequalities. There was no critic in the world equal to that of the Local Government Board, for all that it did was to condemn everything placed before it. When Parliament granted money the Local Government Board paid it back again into the Exchequer account. The Local Government Board had made some wonderful suggestions during the last month or two for doing what he had been condemned for doing. They had been giving able-bodied men relief under the Poor Law and paying 5s. 9d. a week to a family of four people. Now an Order had been issued to stop that relief, and they were putting the Modified Workhouse Test Order, passed in 1849, into force. What about this wonderful Order which was going to deal with the unemployed? It provided that if an able-bodied man applied for relief he might be sent into the workhouse, and have his wife and family relieved outside. The result of that Order was that they shut the man up in the workhouse, and he was doing absolutely nothing at all. That man would cost between 10s. and 12s. a week to maintain in the workhouse, and they would be giving what was called adequate outdoor relief to his family costing between 12s. and 14s. a week, so that the people who were satisfied before with 5s. 9d. per week would cost the ratepayers 25s. per week. He did not know whether there was any more glorious initiative left in the Local Government Board permanent official staff after that. Nearly 300 of these men were shut up, and he supposed that he should have given evidence against them, but he did not. They were looking at one another, doing nothing, but thinking and worrying about their wives and children all the time. Bad men did not care whether they were

sent to the workhouse or not, but good men did, and it was to try to preserve them if possible that these orders had been suspended. Despite the condition of things at present with respect to unemployment, this Government, like the Governments that had gone before, said: "We cannot do anything." What was proposed was like drawing money out of the bank to build a house before the plans were ready. It was not money they wanted at this moment, but an organised system which would put the unemployed to work. It was the absence of that system of which they complained bitterly, as they had done in bygone days. It was no excuse to say that that complaint had not been brought forward. It had been constantly brought forward, and the answer had been always the same. There was one scheme under which a sum of £40,000 was raised and yet not one ha'porth of work could be found. The whole of London was up in arms in regard to that scheme. They were asked: "What are you doing? Why don't you spend some of that money?" They had to wait until 1st January, 1905, before they could do anything. He remembered that they appealed to the then Prime Minister in the name of twenty town councils, fifty-six unions, and four rural districts, and requested him to call Parliament together at the end of 1904 to discuss this question. They got the same stereotyped answer which they always got. In the case of the women they were told that to find employment meant subsidising drunken husbands, but the actual facts did not bear out that contention. It was time to get away from shuffling with figures in order that they might do something worth doing. What were they doing? They had passed a Small Holdings Act to keep men on the land, but every obstacle was placed in its way. The noble Lord at the head of the Board of Agriculture would go to tremendous lengths to see the whole of the Act put in proper operation. Then why was it not done? Whose fault was it that they left the poor man who wanted a bit of land at the mercy of some local magnate who would frown him out of the place if he so much as asked? What he desired was that the money set aside for small

*Mr. Crooks.*

holdings should be spent. Why were not information bureaux set up so that men, without going to their landlord, or their representative on the county council, could learn exactly what to do to secure the land? No. The Government were going to give them £300,000 to keep them quiet. Meanwhile people were starving, and if the Prime Minister had offered them £1,000,000 last week they would be no better off. "The time has arrived for a great scheme," they were told in 1892. He supposed the scheme would come along presently. They had Town Planning Bills which were to do much. The House forgot that four-fifths of the population were housed on 600,000 acres, while the total acreage was something like 77,000,000. There was plenty of room for the people, and if they had a statesman to tackle the land question there would be no unemployed. They were told they were pandering to loafers. Perhaps so, but they were mostly rich loafers. And in the administration of the Unemployed Act they had taken the bottom man and, because he was not up to sample, had declared the lot bad. There were three classes to deal with—the man who was willing to work, the man who was unwilling, and the man who was unable—and they could be dealt with easily with proper organisation. If the Government had asked town councils, and borough engineers and surveyors the question: "What would you do in times of commercial depression if you had money, quite apart from those works of utility for which you get loans from time to time from the Local Government Board?" they would have had schemes pigeon-holed on which the unemployed could have been set to work as easily as possible. They were told that some wonderful schemes were being thought out by the Local Government Board, but what they were nobody knew, and he was almost going to say nobody cared. The question was: What are the Government going to do at this moment? It was no part of his duty to suggest. [MINISTERIAL cries of "Oh!"] He was only following the example set by right hon. Gentlemen opposite, who, when they were asked during the time of the late

Government what they would suggest, relied that it was not their duty to suggest what should be done; it would be time enough to do so when called in by the nation. He did not expect to be called in by the nation, and he did not want to be. The right hon. Gentleman said years ago that the suggesting was to be done by the people who were paid to do it. But he would repeat his suggestion that foreshore reclamation would take all the rough men they could find. A good deal of labour could be absorbed in dealing with coast erosion, waste or derelict land reclamation, in afforestation, in developing the Small Holdings Act, and in making it work—not by adopting the penny-in-the-slot system and saying: "Some day you will get a bit of land," and in pushing through the Town Planning Bill. The fact of the matter was that there was frequently a waste of energy in praying for something to come along. They would not get anything by praying for it. [Cries of "Oh!"] They had got to go out and fetch it. He remembered an old mate who used to say to his wife: "Trust in Providence," and she replied: "Not me, old man; He has done me too many times already." The Government were paid to look for schemes to find work for the unemployed. They had got full plenty of money; there was ground enough to provide work for every man and woman in the country. If, in the interest of party tactics, they went on as they did for another year and another year, these unemployed men would become so degraded and sink so low, that nothing would lift them up again. Look at 400 human beings creeping into a night shelter for a basin of cocoa and a bit of bread, and crawling out in the morning incapable of doing a day's work if it were given to them. What put them there? Was it because Nature could not supply them with food, clothing, and shelter? Nature supplied these full and to spare, and why they did not get them was because there were no administrators. He repeated that a man who was willing to work should be kept up to his capacity to work and found work. A man unwilling to work should be made to work. [Cries of "How?"] By keeping him without food for a time he would work all right. A man unable to work should be taken and given hospital treat-

ment until he was able to work and take care of himself. There was food full and plenty for all. As John Davidson said—

"More than would for all suffice

Earth from her full bosom pours,

Yet in cities, wolfish eyes

Haunt the windows and the doors."

Amendment proposed—

"In line 1, to leave out from the word 'That,' to the end of the Question, and add the words 'whilst recognising the importance of the promise of the Prime Minister to introduce legislation next session for dealing with unemployment on a permanent basis, and whilst welcoming the promise to administer with more elasticity the existing Act and to provide more money to make that possible, this House is of opinion that the proposals made are quite inadequate to meet the pressing needs of the unemployed this winter, and that the responsibility for the absence of proper machinery even for carrying out existing powers and the general unpreparedness of the country to meet the present unemployed crisis is due to the neglect of the Government to make provision for a state of affairs which was clearly foreseen.'—(Mr. Keir Hardie.)

Question proposed, "That the words proposed to be left out stand part of the Resolution."

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The clear, comprehensive, and kindly speech made by the Prime Minister last Wednesday on the broad plan and general proposals of the Government as to future legislation and future work on behalf of the unemployed, reform of the Poor Law, and such problems as vagrancy which arise out of this difficult subject, renders my task simpler and humbler than it otherwise would have been, and I thank him, as I have a right to thank him, for the powerful, loyal, and cogent way in which he dealt with this difficult subject, a way in which I venture to say few other men in the kingdom could so ably have done. My duty to-night is to deal with a transient policy we have adopted to cope with a temporary depression, and to set forth what the Government has done by administration, by organisation, and by helping local authorities in this very difficult problem. It is only right that I should tell the House of Commons, especially after what they have heard this afternoon,

that, in the absence of direct and matured guidance from the tribunal which all of us agreed should be appointed when the temporary Act of 1905 was instituted, we have no right to adopt any schemes, however sentimental they may be, or to embark on any project with which, according to those who have spoken this afternoon, it is reasonable to assume the Commission is likely to disagree. That statement in itself ought to make us pause. If it were true, though I want to know where the evidence comes from, that the Commission appointed by the last Government has decided to do nothing, surely that is an answer to many of the schemes of a far-reaching, serious, untried, and almost revolutionary character that are projected. But the House has a right to know what has been done and is being done by my Department and the Government in administering a temporary Act and in spending the £200,000 that was granted, and also what will be done in spending the additional grant that has been conceded. Well, I have a right to claim that in the administration of the fund we have done our best sympathetically to disburse it, and we have not received a single adverse criticism from a distress committee or a responsible authority of having deprived them of the money and assistance by means of which their work could be carried out, and when it is suggested by people of whose speech it is most charitable to say that they did not altogether know their subject, that we have been niggardly and have stinted the authorities, my answer is to point to West Ham, to which I have probably devoted more time than any other President of the Local Government Board has given to any fifty other districts. Niggardliness is the charge alleged against me, but at this moment West Ham has a balance in its coffers of £8,500 out of the £22,000 I voted to it last year. Its neighbour, East Ham, has at this moment a balance of £1,500, the use of some of which I sanctioned last week for the employment of 400 or 500 men. I challenge any Member of the House to produce a resolution, fact, or figure to show that we have not done everything we could with the money and machinery at our disposal to help the administrative bodies and

the distress committees. But we are, I admit, confronted to-day with a situation temporarily more acute than that of last year or the year before, but not so bad, in my judgment, as the winter that produced the Unemployed Workmen Act. [Cries of "Oh."] The depression in America, where the tariffs come from, hit this country very hard six or seven months ago, but I think I have a right to claim that all the ills that financial flesh is heir to in America and here should not be visited on my Department, or on my devoted head. The North-east Coast dispute has involved those districts in difficulties, and none of the hon. Members who, from the Labour point of view, represent those districts, have either privately or publicly complained of the want of promptitude, energy, or sympathy on the part of the Local Government Board in dealing with that area now that depression has struck it. The American depression, the North-east Coast dispute, the cotton trade dispute, and the sudden collapse of shipbuilding have made it necessary for the Government to do more this year than they have done on previous occasions, and we decided, as far back as March, when I addressed the municipal corporations of this country, to accelerate all our efforts, and to anticipate winter distress by the various methods to which I intend to refer later on. The House has heard the suggestion made that it is possible for the State all at once, and a Government Department in three or four months, to grapple with the problem, and practically almost to deprive unemployment of its sting and poverty of its misery. The men who buoy up the working classes with that illusion, that groundless expectation, are doomed to a disappointment of which they will be the first to hear from the working classes themselves. The causes of unemployment are so numerous; they strike so deep; they are social, economic, personal, and political. They are not created in a year and cannot be dissipated in a month. They are the accumulation of ages; the heritage of past neglect; the burden of ignorance and selfishness; the result of communities of men disobeying natural as well as economic laws; and not one single Act nor one

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gle Department will be able at once remove either the follies of communities, the neglect of ages, or the excesses and dissipations of individuals. I am to be commiserated. Because of what other Departments might have done, and should have done, and did not do, all the criticisms of hon. Members are poured on the devoted head of the President of the Local Government Board. I do not mind. As I said last year I do not object to being treated as the "Derby dog" of the Government on this question; but I do suggest that, in criticising myself or my Department, the origin of the complaint, the disease itself, the remedy, the palliatives which are under review, and the seriousness of them shall not be lost sight of in the personal obsessions which afflict some people when they are putting forward their solution of such a problem as this. May I give an instance? Last Friday I received a deputation from the Navvies' Mission, a very good organisation, approved of by the Navvies' representative in this House. It was headed by the Bishop of Croydon, Canon McCormack, and five or six kindly ladies and gentlemen who, not knowing what the Government proposals were, asked me to be very careful in spending public money upon works during the coming winter, and above all in sanctioning the expenditure of money by municipal authorities, not to displace from employment the regular navvy, a trained and efficient individual, who had the first claim, and in my opinion the strongest claim, to employment in such undertakings. We have done our best to avoid this. I find that for three years the building trade has been depressed, and in that connection I may say that that trade has hitherto provided two-thirds of the men registered at the unemployed depots. The depression in the building trade is not due to inactivity on the part of the Local Government Board. There are 1,250,000 men in the building trade in this country, and the men, women and children dependent upon that great industry number from three-and-a-half to four millions, and all the trades dependent on that industry have also suffered. That depression is due, not altogether to the fact that we are a vanishing race, with dying trades and

disappearing industries, and therefore not requiring factories and workshops, but to the fact that there has been overbuilding in the past. The depression has occurred partly because some of the country's staple trades—coal, iron, steel, cotton, and wool—have attracted cheap capital that ordinarily would have gone to the building trade. The result is that the building trade has suffered from dear capital and high interest; that has created unemployment to an extraordinary extent, and brought about the result that for the last three or four years local authorities have been unable to borrow at low rates—we have had a bank rate of 4, 5, 6, and even 7 per cent. Another cause different from those I have enumerated, of which the Labour Members must take note, and for which no Government or municipality can possibly be responsible, is the change in the method of constructing buildings which has gone on rapidly in the last five or six years, and which has affected skilled artisans even more than the unskilled labourers. Owing to this exceptional condition of things we, anticipating distress this winter, decided to see what we could do to prevent that distress. Immediately cheap money became obtainable, about six months ago—I did my best to inform the local authorities that the deficiency of employment which might reasonably be expected in 1908-9, and which was due to dear money in 1906 and 1907, ought to be provided against, now that cheap money was obtainable, and that if they had any works of definite public utility to the execution of which public money and labour could be applied, we would only be too happy to assist them to undertake them. We always had skilled artisans particularly in mind. In September, 1908, there were 16 per cent. more labourers employed in the building trade than in September, 1907; but there were 8 or 9 or 10 per cent. fewer skilled artisans at work in the same trade than there were a year ago. This year, in London there are some, although not many, more unskilled labourers at work than there were last year; but the proportion of skilled artisans out of employment remains as large as it was last year, and in some trades it is worse. Being a mechanic and an engineer, who, in this

matter, hoped not to be "hoist with his own petard," I thought it was our duty to do something that would at once bring the skilled artisan into employment, and we selected loan work for that purpose. It has an advantage over other forms of employment for this purpose in that the ordinary workman known to the contractor, the surveyor, or the engineer, gets the first call according to his known character, ability, and deserts; the ratepayers through the ordinary channels get good work at a contract or estimated price; and the profit with the contractor prevents that malingering which too frequently prevails on State or municipal works. The work is work that has to be done, and such as the ratepayers have sanctioned; and if there is loss upon it there is dismissal, while if there is no bad result therefrom, everyone profits. Moreover, on loan work the electoral influence brought to bear upon councillors or Members of Parliament is at a minimum. The right men get the right work at the right place and the right time, without the demoralising effect that too often occurs to good workmen from recurring relief works, and which are too well known for me to emphasise further. The effect of this is that we have been able to do that which I shall now submit to the House. I know no more industrious man than a Member of this House, and certainly no more industrious man than the average Minister, whether in or out of office. We take no particular credit for our work, but we certainly have a right to say that it has been our object to anticipate distress by preventing it. We have endeavoured to do that by putting into operation some £2,000,000 or £3,000,000 of loan work. Now I come to the financial aspect. In nine months of the present year the Local Government Board has sanctioned loans to the amount of £9,418,000, or more than during the whole of the previous twelve months. From 1st June to 22nd October, the Local Government Board has sanctioned loans amounting to £959,403 more than in the corresponding period of 1907. From 1st August to 22nd October for unemployed purposes alone the Board has sanctioned £859,000 worth of work as against £8,090 in the corresponding

period of the previous year. In the week ending 10th October the Department sanctioned seventy-two loans, amounting to £170,000; in the following week 103 loans amounting to £271,000; in the week ended 24th October, 116 loans amounting to £250,000; or, in three weeks, 291 loans amounting to a total of £691,876; and there are seventy-seven applications at present remitted to the inspectors for loans amounting to £374,000. Therefore I claim that we have facilitated inquiries and expedited the borrowing of loans; speeded up procedure and antedated work, so that we could compress into the months from November to March something nearer £3,000,000 than £2,000,000. Now I shall be asked to give an example of how it has been done, and I could not do better than take the example of Leeds, which is typical of many of our towns and cities. For the last three years Leeds has been interesting itself very seriously and, I think, scientifically in the way to grapple with the problem of unemployment in both aspects, the unemployable and unemployed, and to see if work could not be steadied so far as the local body itself was concerned. Leeds came to the Local Government Board some time ago, and asked for sanction to a loan of some £47,000 for work, and they have in contemplation I believe a total loan expenditure of some £120,000 the great bulk of which will be produced in the slack period in the coming six months. This work is not for mere charitable purposes, but is what the city needs in the way of roads, sewerage, drainage, parks, tramways, and electric lighting extension and improvement. At this moment Leeds has out of employment a larger number of men who normally keep to this particular class of work than usual, so that on the loan being sanctioned the work will not be done at a loss either to the local authority or to the men who are engaged in their ordinary industrial trades. But for the Local Government Board speeding up the work it might have been delayed till May, June, or August, when, on the resumption of prosperity in these trades, the men would have been provided with work elsewhere. But in addition to this, Leeds has collected some £20,000 from its citizens which will be spent on the

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pe of work to which the Prime Minister referred when he spoke of certain works requiring Government subvention. With this money the corporation of Leeds will be levelling rough ground, making lake, grading roads in parks and open spaces, and on that work will be employed a number of men who would be ordinarily employed in other occupations; unemployable many of them, others unemployed from other trades who are not capable of the full output of the work on which they are temporarily engaged. If that work is carried out usefully, sensibly, and generously, I will go to the Leeds Corporation on behalf, not of the Government, but of the House of Commons and the people as a whole, and say that the difference between what the work would have cost under contract labour and what it will cost because unemployed wool-staplers and others have been employed, I will make good up to 30 per cent. from the Government grant. Beyond that, the corporation of Leeds, I am informed, has taken £10,000 from the profits of their municipal undertakings to distribute among men, women, and children incapable of being employed on the loan or relief works, but who might be engaged in very minor tasks, which, after all, is only well-directed charity. If you multiply this a hundred times in different localities and in proportion to the poverty and unemployment of each area you will find that we have been able to bring into work an enormous sum of money that otherwise would not have been spent. What are the Government doing in other directions? We say that these criticisms have been made in innocent ignorance, or, as Dr. Johnson would have said: "In pure ignorance of the facts." It has been said that the Department of Woods and Forests should do this, that, and the other. I take the Department of Woods and Forests because it has been mentioned in debate. Well, that Department is to have a new office in Parliament Square. My right hon. friend the First Commissioner of Works has thought that it is practicable to begin that work some months sooner than had been intended, thereby spending a very large sum of money and finding

employment for at least 100, and probably 200, men on the building. Beyond that we have decided to spend £10,000 on road-making. The Board of Agriculture have done their best in the eight or nine months since the Small Holdings Act was passed to acquire 14,000 acres for small holdings, and, anxious to have a beginning in afforestation, they have purchased 13,000 acres for that purpose. Beyond that the ninety housing schemes which I have been doing my best to push forward will provide that which otherwise would not have been available. It may interest the hon. Member for Merthyr Tydvil to know that while, like Ulysses, he was taking his world tour I was not unmindful of the claims of the poor industrial workers, and was doing my best to hurry up the housing scheme in the hope of giving work this winter to the hon. Member's own constituents. The hon. Member probably does not know it, but I have already had an application for sanction (and I hope I have practically sanctioned it) to a loan of £22,600 for a castle, park, and recreation ground, in the titivation of which I hope that some of the hon. Member's constituents will find honest, decent, and profitable employment. The next department to which I have a right to refer is the Office of Works, which I have mentioned incidentally in connection with the Department of Woods and Forests, and which at this moment have given the Central (Unemployed) Body all the facilities they possibly could in nine of the ten Royal parks in or around London. We hope that some 500 or 600 men at least will be employed there in the winter. The First Commissioner has ante-dated and speeded up the extension of the Tate Gallery and a number of other minor works, whilst the Admiralty, who we are told have been leaden-footed and tardy in dealing with this problem, have given employment to 2,100 men on repairs at a cost of £73,000, and have expedited orders to enable contractors to spend at least £200,000 six months sooner than they would otherwise have done, and contracts have been and will be fixed for the expenditure of £2,500,000 sooner than would otherwise have been the case. The War Office, in a similar manner, has done its best by not reducing work, by enlisting

for the Special Reserve, and by giving work in the right direction. May I also say that the Board of Trade, whose active operations in the provision of work cannot immediately bear fruit, are considering, and, I trust, devising, improved methods of securing information which may enable them to establish an efficient system of labour exchanges and bureaux, linked up in such a way all through the kingdom that they will be able to be used as an auxiliary for helping the unemployed and for the purposes of migration, in some cases of emigration, for relationship of employer and employed, and, I hope, for differentiating the honest workmen from those who are disinclined to work. In all these ways we anticipate that by March next we shall have brought into fruitful development something like £5,000,000, which would not otherwise have been spent, or £2,000,000 more than was spent on the Lancashire cotton famine in 1862-3-4. I may be asked why the local authorities have been chosen for this method. I will tell the House. I am not in favour of the intervention of the central authority, the State, at this moment, for a temporary emergency, a passing depression, while we are considering, pending the report of the Royal Commission, how best we can act in the future. For instituting large relief schemes the local authorities are the best for the simple fact that there are so many of them, and because they can deal with a problem that is proportionately as acute sometimes in a village of fifty people as in a city of 5,000,000. They command resources for exceptional work better than a central State department can. Their present officers are the reserve officials whom the Local Government Board can call on to extemporise work; their experience of the deserving is greater than that of any central authority. We cannot persuade the local authorities to adopt any means by which the rates would be secured unless we persuade and educate them gradually, for in the last resource the Local Government Board has to rely on them for money, officers, discrimination, tools, land, and other facilities by which any scheme for unemployment can be undertaken. Now, the next proposal for which we ask the consideration of the House is this. Beyond the measures I have mentioned is what we

propose to do with regard to the further relaxation of the provisions of the Regulations under the Unemployed Workmen Act. The Government first increased the grant to £300,000. We propose to relax the existing regulations so as to allow: (a) Assistance to be given in proper cases to persons who had received Poor Law relief during the last twelve months; and (b) to remove the disqualification of persons who were assisted under the Act in each of the last two years. We will continue between now and March next, to expedite the loans, and bring more work into operation; we will press on the local authorities the need of executing further works during the winter, and do our best to urge those people who are able to do it, to make voluntary contributions. Beyond that I propose—to add to what the Prime Minister said last Wednesday—to give a liberal interpretation as regards the character of the work to be aided out of the grant. I mean by that, we shall not confine it wholly to parks and open spaces, to lake-making, and ground levelling, particularly in those areas where those opportunities and facilities are denied to them by reason of their character and density of population. Generally, we hope in a sane and practical and adaptable way to keep the situation between now and March next less acute than it would otherwise be. We shall be asked, as we have been asked, why we did not amend the Act, and allow the 1d. rate. The Prime Minister, in my judgment, easily and successfully disposed of the argument for a 1d. rate. A 1d. rate over all the areas of the eighty-nine distress committees, would only bring in £232,000. Not more than thirty out of the eighty-nine would be found to ask for money, and twenty-four out of the total of distress areas could not realise more than something like £60,000 to £66,000. As has been pointed out, the more distressed the area the higher its rates, and it is impossible for us to ask them to add to their already burdensome rates. We decided to adopt loans as against the 1d. rate, and I believe that in so doing we shall be justified by the House.

I come to London, if I may, because it is the storm-centre of the unemployed movement. I deal with



don, because a few persons have been about the number of people who are out of work. I heard with surprise the statement made that there were from 6,000,000 to 7,000,000 of people dependent upon 2,000,000 or 3,000,000 breadwinners out of work.

\*MR. KEIR HARDIE: May I ask whether the figures are mine? If that be so, the right hon. Gentleman cannot have heard them.

\*MR. JOHN BURNS: All I can say is that the hon. Member for Merthyr Tydvil spoke of from two millions to three millions of men out of work, and from six millions to six and three-quarter millions of people who were dependent upon them.

\*MR. KEIR HARDIE: For the country as a whole.

\*MR. JOHN BURNS: Certainly, I am quite content to leave the figures as the hon. Member left them. They furnish their own refutation, and it is needless for me to enlarge upon them. But I do say this, that if the figures were anything like what he mentions, and that men have been out, as he said, from six, twelve, and eighteen months, then the awful misery, poverty, and destitution arising from unemployment would have reflected itself—even if the number was two millions—in the figures for the year as to pauperism. What are the facts? I am not dependent upon figures, but I must resist the suggestion that we have six millions of people out of work and in misery. If it be true, taking the lowest computation, it would have reflected itself, as I have said, in figures as to pauperism enlarged to an extent that we have never had before. In 1907, in London, 24·1 per 1,000 of its people were paupers; in 1908 it was 24·7 only. In England and Wales last year it was 21·5 per 1,000, and at this moment it is 21·9. In no sense can it be said that either facts or reasonable assumption warrant the extravagant statements made by the hon. Member. Let me give another striking fact. At this moment, in London out of thirty-one boards of guardians, fifteen show a reduction of pauperism

as compared with last year. It is true that there are three or four parishes in the East End of London, to which I have been giving advice, when I have not been correcting them for the error of their ways, where there is extra trouble. Let me deal with the East End of London, and I ask the hon. Member for Merthyr Tydvil to listen to these figures in the light of the allegations which he has made. There are seven East End parishes with a population of 715,739, and they had 25,826 paupers. Of the seven parishes, three showed a diminution of pauperism, and four showed an increase, the whole seven together showing an increase of 2,883, of which Poplar was responsible for 2,673. Why do I dwell upon that? Because these parishes in the East of London have been the Mecca of social reformers, the right-to-work advocates, and of people who think that short cuts to the millennium can be secured without sterilising the independence and *morale* of the people. There is a lesson to be learnt from these short cuts: one is this. In one of these parishes, 52 per cent. of the old people of seventy years of age on 1st January next will be deprived of the old-age pension because they have been disqualified for receiving it in consequence of indiscriminate charity, put upon them by mistaken friends who have made them paupers instead of free and independent workers. [A LABOUR MEMBER: Is that something to be proud of?] No, it is not. [A LABOUR MEMBER: You seem to be proud of it.] On the contrary, I am giving that serious and significant fact to warn the House and the working classes throughout the country that indiscriminate charity and mistaken philanthropy at other people's expense, and relief works badly organised and badly conducted, make for universal bankruptcy in the interests of universal loafdom. I say that because I have unique, intimate, and practical knowledge of this subject; because I have gone through the New Cut, Lambeth, through Poplar, through Limehouse Reach, and Ratcliffe Highway, feeling the pulse of the people, and seeing the extent to which under the guise of political reform, social amelioration, and economic change, good and kindly but uneducated people are having their *morale* and independence sapped to an

extent which, if it were spread throughout the whole of the country, would make the East End of London and elsewhere dependent and subjected, and often as free from work, as certain sections in Belgravia and Mayfair. It is because I do not want that to be made universal that I have taken the line which I am following. The hon. Member for Woolwich, whose attitude on this question I can quite understand, incidentally suggested that thrift was too often taught to the working man. He, like myself, is a temperate man, of simple tastes and spartan habits. Both of us early in life, to our credit, and it is what has landed us both where we are, adopted the Vicar of Wakefield's motto—

"Our tastes are simple because our wants are few."

If for ourselves, why not for all workers? The hon. Member for Woolwich, like myself, is a trade unionist, and the man who forgets to tell the workman when adversity meets him—and then is the only time, as for all of us, when the workman should learn—that his shortcomings in the past are responsible for his immediate discomfiture, is no friend. The average workman spends, as we all know, anything from 5s. to 7s. a week on drink. [LABOUR Cries of "Not true."] I believe it to be true, but I will take the hon. Member for Merthyr's own figure, if he will give it to me. Is it 3s.?

\*MR. KEIR HARDIE: The statement is not true.

\*MR. JOHN BURNS: I will split the difference and make it 5s. The average workman spends at least 5s. a week on drink. Let me tell the House of Commons that it is from £15 to £18 per family per annum, and that £100,000,000 per annum spent in drink is confined to the working classes alone. Let me tell the House what 1s. per week will do for me when I am disgraced and evicted from the Treasury Bench, and once more happily resume the chisel and the file in the engineer's workshop. In the Amalgamated Society of Engineers 1s. a week, after twelve months qualification, entitles a man to 10s. a week out-of-work pay, 10s. sick money, 10s. a week superannuation, and a

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number of other benefits. Supposing the enormous number of millions of money that the men had wasted in a good time had been devoted to insurance against unemployment in their trade unions or friendly societies, much of the trouble that we now have we should not experience. May I give a concrete case, to put my argument clearly? In 1906-7—and I would ask the tariff reformers to listen to these figures—the River Clyde produced 620,000 tons of the best and fastest shipping in the world. That is twice as much as Germany produced, and as much as all Europe, with Japan thrown in, produced. Within a month of the depression from America striking that river in the West of Scotland there were unemployed meetings, and complaints were made at those meetings that the grant instead of being £11,000 for the Clyde should have been £19,000. And yet in the preceding twelve months 4,000,000 golden sovereigns were spent among the same artisans on the River Clyde in alcoholic liquor alone! If this were my last speech as a Minister I should be false to my class and false to my duty if I were not to tell the working men that if they rely too much on the State and the municipality, and not enough on their own good selves, it will be bad for them and bad for the country. I shall be asked by Labour Members what are we going to do in London for the approaching winter. I will outline one or two schemes. We shall have nearly five hundred men in the royal parks, and we have already 1,600 in the County Council parks. I have made arrangements by which this number shall be nearly doubled. I am glad to say that the London Water Board—and it deserves the thanks of London for doing it—by the ante-dating of its work, has brought into employment 2,100 navvies six months sooner than they would otherwise have done. The County Council hope to have £500,000 of money. The borough councils are doing similar work. I have done everything within my power to press forward work, so that the largest number of men shall be so employed. Now I come to one or two small points. The Leader of the Opposition will perhaps sympathise more with what I am going to say than with anything I have previously said. Every day letters have been appearing in the papers asking the

Office to provide work for the old soldier and the Reservist. Well, the Local Government Board has been in operation with the War Office. I mention this because we have, I regret to say, allowed soldiers who fought for this country in Africa, India, and elsewhere to be treated as too frequently they are. I asked a relieving officer the other day how many ex-soldiers there were out of 133 camps who had gone through in a short time a casual ward not more than twenty miles from London. He said the number was forty-one. It has been said that the Local Government Board is unsympathetic. Where is there a deputation I have not seen?

\***MR. C. DUNCAN** (Barrow-in-Furness): The right hon. Gentleman has made a challenge. I was approached—not on his particular question—by the chairman of the Electricity Committee of the County Borough Council of Barrow and asked the right hon. Gentleman to receive a deputation on the question of electricity, and he refused.

\***MR. JOHN BURNS**: No, our friend is talking about a year ago. That had nothing to do with the unemployed, but with the periodicity of loans for electric lighting or payment of wages out of loan moneys. I have seen three deputations of hunger marchers, and the last I saw consisted of a master builder, in work, a commercial traveller, profitably engaged, and an agent who had no necessity to join the ranks of the unemployed. I saw another deputation of hunger marchers, consisting of six, and I let every one have a quarter of an hour, and I ascertained this significant and grisly fact, that five out of the six were old soldiers or Reservists. I have thought of this, and my right hon. friend and I have adopted a scheme which, had it been adopted twenty years ago, would have reduced our 17,000 casual population to 4,000 or 5,000, and would have eliminated nearly all the old soldiers and Reservists from it altogether. It is that the old soldier and Reservist should not, when in receipt of his pension

any of His Majesty's Colonies, and in two years nearly 10,000 ex-Reservists have availed themselves of that opportunity. But for that simple little change we should have had in our tramp and casual shelters an enormous number of Army men. It is in a multiplicity of little things like that where we can grapple with the vagrant and casual ward problem.

**MR. A. J. BALFOUR**: We are not quite sure whether we heard the right hon. Gentleman accurately. Did he say 10,000 reservists had left the country by permission of the War Office?

\***THE SECRETARY OF STATE FOR WAR** (Mr. HALDANE, Haddington): We have arranged that to the extent of 10,000 we should allow these Reservists to reside in the Colonies. That can be done perfectly safely. To the extent of 5,300 they are there now.

**AN HON. MEMBER**: Suppose they are wanted?

\***MR. JOHN BURNS**: Does the hon. Member suggest that they would be so unpatriotic that they would not respond? The answer to that is that 97 per cent. of the Army Reservists responded when the Boer War claimed their reluctant services. Ten thousand Colonials volunteered who had no obligation to the old country. Is it not better that these men should be getting one and a half or two dollars a day for useful profitable work in Canada, South Africa, and New Zealand, than that they should be on the road, in tramp shelters or casual wards, weak, debilitated, ruining their physique, and having no strength left for when they are wanted? Arrangements have already been made for their return in the event of their being required, and it would be a very indiscreet Chancellor of the Exchequer and a foolish House of Commons that would not pay not only their fare, but a considerable bonus to attract them back if attraction were wanted. I have only mentioned that one out of fifteen or twenty ways in which we can reduce vagrancy, eliminate the unemployable, and provide profitable work in the colonies, where it is not possible for that type

of man to secure it here. I could give a number of detailed illustrations of the way in which we have done our best to apply multiplex remedies for a multiplex, delicate, dangerous problem brought about by multifarious causes. But I am convinced the House of Commons is satisfied that what reasonably could be done to tide over this winter I have done. I have done it under great difficulties. I have been subjected to much unreasonable criticism. I have endured undeserved blame and been subjected to misrepresentation, but when 31st March arrives and the Government place before the House a full and detailed account as to what loans have been spent, how the grant has been distributed, how work has been speeded up, and how departmental work has enabled a number of people to mitigate the hardships of the forthcoming winter, I shall be quite content to rest by the verdict and judgment of the House of Commons. I can assure the House of Commons and the country that if they will but leave this vexed and tangled problem to me, I am prepared to worry through the winter. If they will only leave it to the eighty-nine distress committees and to the Local Government Board to devise means to provide money and to adapt means to the end of providing men with work, they will be content when six months are over to say that the municipalities have responded handsomely to the appeal of the Local Government Board, that not hundreds but thousands more men have been supplied with honest public work at the current rates of wages, and that the amount of the Government grant which will have to be made as expressing the difference between contract labour and unemployed prices will not be so large as is supposed. The House may rely upon it that, if circumstances warrant it, the whole of the £300,000 will be spent in the necessitous districts in relieving honest claims of the unemployed to which I shall be as responsive during the coming year as I have always been during the three years I have had the onerous duty of administering one of the most difficult Acts it ever fell to a Minister or a statesman to carry out.

*Mr. John Burns.*

MR. WALTER LONG (Dublin, S.): No one will complain of the length of time which the right hon. Gentleman has occupied. He has had a difficult case to present to the House, and hon. Members, I am sure, will be ready to grant to him the sympathy and support which he asked for at the end of his address. But the speech which the right hon. Gentleman has made, and the figures he has produced, only lend force and emphasis to the criticism that the House ought not to be called upon to discuss a question of this magnitude at such short notice. After the speech to which we have just listened it must occur to the most casual student that it is almost a public scandal that a question which goes so deep down, and covers so wide an area, should be attempted to be discussed within the limits of a few hours. The Leader of the Opposition predicted that this would be the case. No hon. Member representing the Opposition has had an opportunity of speaking on this subject before 7.30 p.m. That is not the only criticism I have to make. I venture to say, without fear of contradiction, that after the statement made by the Prime Minister, which opened up many important questions, some of which have been referred to by the President of the Local Government Board, we ought to have been given more time in order that we might have approached the consideration of these questions with a much fuller knowledge. The eloquent and clear statement of the Prime Minister was but a sketch of the policy of the Government. We all know the immense labours which fall upon the Prime Minister, and nobody would expect him to be familiar with the details of the scheme he unfolded. That scheme was not only incomplete but almost unintelligible without the fuller information given by the President of the Local Government Board. That information has only been furnished after we have got half-way through this debate, and there are only three or four hours to discuss it. The right hon. Gentleman, after he had been engaged during his powerful and eloquent speech in seeking to prove, so far as I could gather,



hat practicably there was no unemployment, wound up by making the announcement that 10,000 Reservists, upon whom we rely to fill up the Army, and whose presence may be needed at comparatively short notice, had been given permission, of which it is hoped they will avail themselves largely, to go to various parts of the Empire; and, when the right hon. Gentleman was asked how the presence of these men could be secured in case of war, he mistook the question and the reason for it and told the House what we all knew, that when Reservists had been called for they had always come up with the utmost speed. But the right hon. Gentleman and the Secretary for War know perfectly well that, when the Reservists were called out the last time, many had only a few hours in which to present themselves. The object of the question was, not to elicit the information that these Reservists would be as patriotic and unselfish as their predecessors, not to ask what would be the cost of bringing them back, but how far it would be possible to secure their presence in any reasonable time. Here is a matter which affects our military policy thrown in at the end of a speech on unemployment, and that itself justifies the participation in this debate of many speakers who would probably not have spoken had not such an announcement been made. The Opposition will not be too critical in examining either the speech or the action of the President of the Local Government Board. We know he spoke with truth and feeling when he said that he had had to undergo much misrepresentation and calumny. I join with the right hon. Gentleman in everything he has said in repudiation of the calumnies of his Department. There is no Department in which more trouble is taken and more interest displayed in the solution of these difficult social questions. I am not going to criticise the right hon. Gentleman too closely; but, when I come to the speeches of the two hon. Gentlemen who are the sponsors of the Resolution of confidence in and commendation of His Majesty's Government in a very different from the commendation of the hon. Gentleman

Motion not only condemned the Government but condemned both sides of the House, ignoring the fact that the only Act of Parliament which provides machinery for dealing with this question is one for which the Opposition were responsible. The hon. Gentleman made a pathetic appeal that no party politics should be introduced into this question. I do not want to bring in party politics, but I wonder if it has occurred to the two hon. Gentlemen that they have been supporting a Government whose legislation has certainly not helped employment or tended to give confidence to the employer or the workman. I wonder whether they remember the Coal Mines (Eight Hours) Bill, which an hon. Member opposite has told us will lessen the output and increase the cost of coal. The Prime Minister in his recent speech appealed to capitalists to come forward and assist in a solution of this great industrial problem by finding work for the unemployed. Did the right hon. Gentleman remember the language of his colleagues sitting behind him when he made that eloquent appeal to the well-to-do of the country? Did he think of the Chancellor of the Exchequer and his projected invasion of the hen roost? Did he think of the Chancellor of the Exchequer's proposed search for the twelve rich men? Did he think of his other colleagues who have not hesitated to say in the country that if they could not do what they wanted with a particular trade by legislation they would be prepared to do it by taxation? When language of that kind has been used by the Government we do not wonder that their supporters are asked to move Motions lauding them and expressing confidence in them, but I think their speeches should be of a very guarded and non-laudatory character. The hon. Member who moved the Motion began by a reference to fiscal reform, and told us that he did so because he wanted to anticipate the arguments that were to come from this side of the House. The Leader of the Opposition was not anxious to interfere with him in the unfolding of his views. We

introduce them into this debate would be altogether improper. We are as anxious as anybody opposite to avoid party politics, but we cannot ignore the fact that the policy of the Government up to the present has been one which has not increased, but rather decreased confidence and therefore decreased the amount of capital available. The President of the Local Government Board told us just now that there was very much less unemployment in the country than has been suggested. If there is any doubt upon the facts it is the Government who are to blame. It is the Government who have failed to produce as they might easily have done—I speak from experience — some reliable facts and figures on the subject. I heard with some surprise the President of the Local Government Board quote pauperism figures as a reliable indication—

**\*MR. JOHN BURNS:** The right hon. Gentleman will pardon me. I did not quote the figures about pauperism to mitigate the unemployment that prevails. I quoted the figures with regard to pauperism and said that if the statement made by the hon. Member for Merthyr Tydvil be correct that there are 6,000,000 to 7,000,000 men, women, and children dependent on workless workers, it would have reflected itself in the figures of pauperism. I quoted the figures to show that distress did not prevail to the extent the hon. Member alleged, and not to show that there was no unemployment.

**MR. WALTER LONG:** Not to show that there was no unemployment. If I said so I exaggerated. I did not intend to say that the figures were quoted to show that there was no unemployment, but I submit with confidence that the whole tendency of the right hon. Gentleman's speech, apart from the figures, was to show that wildly exaggerated statements had been made as to the amount of unemployment in the country. The right hon. Gentleman was eloquent as to the present condition of things and he quoted the pauperism statistics with confidence in answer to the hon. Member for Merthyr Tydvil. In my humble opinion pauperism statistics have nothing to do with the ques-

tion. It takes a very considerable time before the result of unemployment makes its mark on pauperism. All I can say is that I have been at some pains to find out the root cause of the state of things in the country. I have corresponded with reliable people in various parts of the country, I have sought information from the larger centres and from the manufacturing districts, and the information that reaches me—not in figures, for I have no means of getting at figures which would be available for quotation—points to the fact that there has been an immense amount of unemployment, that it is growing, and that in many parts of the country it is by far the most serious question at this moment. If that is right then all I can say is that the figures of the right hon. Gentleman seem to point in a contrary direction. I think the Government might, as the mover of the Motion said, without much difficulty have had comparative and classified statements made, showing what the returns of unemployment are in different parts of the country and what classes of labour are mainly affected. If we are deficient in information at the present moment it is because the Government have not thought fit to give us that information. Both the proposer and the seconder of the Motion fell back with considerable relief on the fact that the proposals of the Government were only of a temporary character. I have already said that nobody with whom I have the privilege to act desires unduly to criticise the policy of the Government or to find captious fault with them, but I cannot forget—I do not include the President of the Local Government Board in this—that many of those now sitting on the Government Benches, when they were sitting in Opposition, used very different language about our action in 1905. Then we were told that, while they were willing to support our legislation, it was altogether inadequate, that it required strengthening in this, that, and the other direction, and that it ought to be altered. One claim made by the present Government and their supporters was that they had foreseen and guarded against this emergency. If they have foreseen and guarded against it, is it not an extraordinary

*Mr. Walter Long.*

ing that they have allowed practically three years to elapse without altering the Act in any degree whatever?

**MR. ALDEN:** I have complained about the Government in this respect, and I have voted against the Government upon all occasions.

**MR. WALTER LONG:** I did not know that the hon. Gentleman had shown his previous views of the Government with so much determination. I can only conclude that the ceremony of to-day was a much more interesting one than we realised, and that it was a great act of atonement on his part. We were witnessing a touching reconciliation between him and the Government. I was not talking of the hon. Gentleman so much as of the Government of which he is a supporter. Many of those when in Opposition criticised the Unemployed Act of 1905, but all that they propose to do to-day is not even to alter the Act itself, but to alter the regulations made by the President of the Local Government Board under the Act. Reference has been made to the 1905 Act as being my Act. I do not wish to divest myself of any responsibility, but of course that Act was carried by my right hon. friend Mr. Gerald Balfour, and I regret that he is not a Member of the House at the present time. The credit for the passing of the Act through the House obviously belongs to him and not to me. I take it as a matter of credit to the late Government that the present Government have not found it necessary to amend the Act. Anyone who shared the responsibility for the passing of the measure would be prepared to consider any suggestions for its amendment. Nobody would pretend that it was a perfect piece of legislation, but I think we are entitled to take credit for it, notwithstanding all the debate and controversy that have raged round the question, and the attitude of hon. Gentlemen opposite at the time they were sitting here in Opposition. Having made no attempt to amend the Act, it may be assumed that on the whole they found it sufficient for their needs and purposes. Really the whole thing so far as the Government proposals are concerned turns on the question of loans. I confess I have

been a little astonished at the line adopted by the Prime Minister, who has powerfully advocated this policy of loans. The President of the Local Government Board also did so just now. The right hon. Gentleman told us more of this scheme than the Prime Minister. He told us that the subsidy to be given to these loans would only be given in a limited number of cases. He went on to say that when you compare the amounts to be got from a rate and a loan you find that in many cases the amount you would get from a rate would be too small, and that in addition many of the places are already heavily burdened, and therefore to expect them to rate themselves would be unreasonable. But how is the repayment of these loans to be met if it is not to be by a rate which in many cases will be much larger than a 1d. rate?

**THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.):** I said so.

**MR. WALTER LONG:** The Prime Minister said so, but his colleague argued that the pressure of the ordinary rates would be too hard, and that it would be easier for the locality to raise a loan as if they had not to raise a rate for that purpose. The Prime Minister said that the product of 1d. rate would not be sufficient, and that it was necessary to have a loan in order to get adequate funds. But what the President of the Local Government Board did not tell us to-day was that in many places there would be no loan at all. In many places no loan is required or applied for. What is to be the policy there in regard to the unemployed? In some parts of the country the pressure of the unemployed may be just as hard, or even harder, and no loan is required, and I shall be interested to know how the Government propose that provision for the unemployed is to be made in these places. I presume they will fall back on the Distress Committee. [AN HON. MEMBER: Not in London.] I will allude to London in a moment. We are told by the Prime Minister, and with even greater insistence by the President of the Local Government Board, that these proposals are

meet the present difficulty. The President of the Local Government Board said he thought it would be gone in two or at most three years. Ought we not therefore to pause before giving approval to a scheme of loans which will last thirty or forty years in order to meet an emergency of only a passing kind? The Prime Minister stated that our proposals are to confer rating power on the localities, and he pointed out that the localities had never asked for that. Why should the localities ask for that? They have rating powers at present. They have exercised them in times gone by, and as a matter of fact every single proposal the Government have made up to the present moment, save the alteration in the regulations under the Act, is exactly similar to the proposals we made short of the special subsidy. The Prime Minister said that the terms of these loans would be as easy as they could be made.

MR. ASQUITH: What I said was that many of these loans would be for a short period, as my right hon. friend suggested a few minutes ago.

MR. WALTER LONG: Of course the President of the Local Government Board should have told us what a short period is. Are they to be for ten, fifteen, twenty, twenty-five or thirty years?

\*MR. JOHN BURNS: They are to be for the usual period for the kind of work which is undertaken. The bulk of the loans would be for short periods, such as five, ten, or fifteen years; but the largest amount of money and the longest periods would be for remunerative undertakings, such as gas, water, tramways and such like; which would probably be no burden on the community at all.

MR. WALTER LONG: The list of loans given was loans for gas and water mains, street improvements, general town improvements, and ordinary works connected with the town. In the old days, in my own experience, before the Act of 1905, we found that the municipalities which had been forced to deal with the unemployed, met their demands by undertaking public improvements, making

new streets, doing ordinary sanitary work, within their area. These municipalities instructed their officers to take on a certain proportion of these people in the execution of such works. What was their experience? Without exception it was found that the ordinary surveyors and foremen of these local authorities were quite unfitted to deal with many of the unemployed. They were perfectly competent to deal with the ordinary working man, and to get from him a full day's work and thoroughly satisfactory work, but they were not competent to judge of the men who had been out of work and were not up to the mark. The result was that when they emerged from this employment they were no better off than when they entered into it. One object of providing money out of the rates for the payment for such works is to reduce the number of men who are deteriorated in mind and body from want of employment. That combination between the local authority and the relief committee which led to proper supervision and made the work more effective under the Act of 1905, will not, as I understand, be obtained to the same extent under the Government proposals; and in that I believe, the Government are taking a retrograde step. I make a suggestion, although I am bound to say with great caution, for I know how difficult this question is and how easy it is to take a false step. Knowing that the President of the Local Government Board is averse to establish National Government Works, I am thankful he has not adopted the other and far more dangerous alternative. Apart from dealing with the unemployed question not in a permanent form, but as a temporary difficulty, surely if you are going to take men now out of work, or who will become unemployed in the course of the next few months, and who if not properly supervised will become permanent paupers, you will not have that kind of supervision which you ought to give them. When we were called upon to introduce our Act of 1905 our own experience and that of the municipalities was that the work done here in London, such as sweeping the streets, and scavenging by the unemployed, left the men as bad at the end as when the work was found for them.

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remember one man describing to me the state of his mind about being called upon to do the same kind of job day after day without relief. That is the kind of work which the President of the Local Government Board rightly condemned, and I agree with him. But there is all the difference between that and genuine work, which practically enables the unemployed man to get some training, and makes him better than when he was temporarily engaged. I was glad to hear the expression of approval from the Prime Minister of the work done by the Central Unemployed Committee. I believe it is impossible to exaggerate its importance. They have not only at enormous labour made inquiries which resulted in separating the unemployed from the unemployable, but made experiments which were of the greatest possible value. I do not appeal now to the President of the Local Government Board to extend the work of the Central Unemployed Committee in London, or to sanction anything which is extravagant or will have a bad effect on the people themselves; but I do ask him to realise that it was extremely difficult for the Unemployed Committee in London to commence work of this kind, for they had practically no previous experience to guide them in their labours. If it be true that they have made some mistakes, I ask that at all events they may be given an opportunity to complete some of their experiments, so as to see by the test of experience whether or not that kind of work is reliable and ought to be encouraged. I began by saying that we have no desire to criticise the proposals of the Government unduly. It would be quite fair, if we did, for the response to be made to us—"What proposals would you make if you were in the position the Government are now in?" Well, subject to what I have said about the rate, I do not think there is any suggestions to be made better than those which the Government offer. I confess that I was astonished that the Government made any proposals at all, considering the view which the President of the Local Government Board takes of the unemployment problem. But the Government have withstood, with courage and determination, extreme proposals which, if they had been adopted, would, I believe, have

been disastrous to the country. The situation called for action on the part of the Government; I do not think it would have been possible for this House or the Government to have ignored the question of the unemployed, or to have turned a deaf ear to their demands. I think I hear the outcry that would certainly have been raised if anyone had made the suggestion that you should turn the unemployed over to the Poor Law alone. I say that anything like that would be disastrous. Poor Law relief cannot cope with the situation; certainly I do not think that any good would be done the working classes by the adoption of some of the extreme suggestions which have been made in the House and outside it. But you would do as much harm if you made the cruel suggestion that a man out of work for no fault of his own, should fall back on the Poor Law, and that no other avenue was to be open to him. That is an impossible attitude, which could not be taken by anyone who realises the condition in which so many people are just now. In reference to this branch of the subject, I desire to make an appeal to men like Mr. Loch, whose name cannot be mentioned without respect and gratitude for the work he has done. We all know how he has laboured in the interests of the poor. It is to men like him that we must appeal to consider some scheme by which those people who are out of work through circumstances over which they have no control may find that there is some machinery, it may be inadequate and insufficient, but some machinery by which opportunity may be given to them to improve themselves and return to their position as self-supporting, self-respecting citizens of the empire. I am glad that the Government have made definite proposals, which I venture to criticise in no hostile spirit. The proposals in regard to the Post Office, the Army, and the Navy, do not call for reference by me at the present time. I make a final appeal to the President of the Local Government Board to be generous in his consideration of the work done by the Central Committee in London, and not to cry halt of them in their experiments till he is satisfied that they have had a full trial.

\*MR. HALDANE: I only rise to offer a word of explanation on the statement with regard to the Reservists which fell from my right hon. friend the President of the Local Government Board, and which has excited such great interest in the minds of hon. Members opposite. There is no doubt it is extremely desirable, if it can be done safely, to allow a certain proportion of Reservists to reside in the Colonies. If they reside there they will keep fit and in good condition, whereas, if they remain here at home, they will probably be wandering about. The principle of allowing a certain proportion of our Reservists to go abroad where we can keep our hand upon them is not a new one. It has been acted upon before, and in the South African War they came back to a man. The House of Commons passed, in 1906, the Reserve Forces Amendment Act, which empowered this very thing. The question the Minister of War had to consider was whether it could be safely acted upon. Could we get home quickly enough on mobilisation the men required for mobilisation of the expeditionary force? To mobilise the expeditionary force, he would require from 70,000 to 80,000 Reservists. At this moment the Reserve, instead of standing at 117,000, which it ought to be at the normal, is 134,000, and therefore he had something far in excess of what would be wanted for the mobilisation of an expeditionary force. It is for the Minister responsible to consider whether he can allow any number to go abroad consistent with mobilisation. After having consulted the Adjutant-General we had not the smallest hesitation in coming to the conclusion that we could allow 10,000 Reservists to reside in the Colonies, and thus give some relief at the present juncture. But that is not the only safeguard. We have now also the Special Reserve, the men of which are under obligations just as binding as the ordinary Reserve. I say that without the smallest hesitation, and, speaking with the fullest knowledge, I can say that there is not the smallest danger in allowing 10,000 Reservists to reside in the Colonies. At present, 5,300 have taken advantage of the provision. I only deal

with this for the purpose of clearing up the point.

\*MR. HAROLD COX (Preston) said he thought it was common ground that they were all of them anxious to do what they could to assist the genuine unemployed, and he did not object to the Government scheme so far as it acknowledged that the problem of unemployment was a grave and a national one, but he objected to it because, instead of remedying the disease, the Government scheme would make it worse. He believed that instead of bringing any relief whatever to the unemployed the scheme would increase the number of unemployed, and that was why he was opposed to it. The right hon. Gentleman the President of the Local Government Board made a speech on Saturday last in which he denounced relief works; now he proposed a scheme for the establishment of relief work which was in a large part the nature of the Government scheme. Let him call attention to some other parts of the scheme which he considered dangerous. Take the question of the Admiralty and shipbuilding. His hon. friends on his right—the mover and seconder of the Resolution—said nothing about shipbuilding, but at one time they demanded that the Admiralty charge should be reduced. Now when it was proposed to spend money on ships the right hon. Gentleman did not object because it was not for the purpose of protecting our shores but to give work to the unemployed. Was there not the danger in building ships? Were they not speculating upon the chance that there would be less unemployment next year? Was it not gambling with the future; when there was still unemployment were they to discharge all the men at present engaged? That question must necessarily arise. After the ships were built and the sewers and other relief works finished there would still be unemployment, and the remedy could only be justified if it were certain that this was merely a temporary emergency. If it was a temporary measure, then the Government were justified. With regard to loans, it seemed to him that the right hon. Gentleman had an idea that the loans dropped down from Heaven. What

e wanted to ask was what hon. Members proposed to do for the better class of the unemployed. The people who would be benefited by these relief schemes were not the best of our working classes. The navvies had asked the right hon. Gentleman not to throw efficient men out of work in order to give work to inefficient men.

\*MR. JOHN BURNS: The hon. Member misrepresents me. He has asked what I was doing for the navy; £600,000 would be spent by the Water Board to give employment out of the loan work to the efficient navy who had claimed all that work. With regard to the £120,000, work for that would be done by the ordinary efficient men, but the £20,000 work would be done by men who were not of the ordinary navy class.

\*MR. HAROLD COX said the right hon. Gentleman drew a distinction between loan work and other work. What was to become of the efficient navy? The vice of the whole system of relief work was that our taxes were to be used to bribe the local authorities to employ inefficient workmen in the place of efficient workmen.

\*MR. JOHN BURNS said that if this £20,000 was only for a temporary emergency until the adopted and more permanent measure, then it would save the unemployed going into the workhouse or going to stonework.

\*MR. HAROLD COX said his statement was that they were using money of the taxpayers in order to bribe local authorities. A navy would go to one of these jobs, and would say: "This is my work, have not you a job for me?" The foreman would reply: "You are just the man I should like to have, but I cannot employ you because the Labour Party is terrorising the Government and so you lose your job." Then where was the work to come from? That was the difficulty which had never been faced. The Chairman of the London Unemployed Body had a long letter in *The Times* that morning pointing out that it was useless to give money if they could not find jobs. They soon got to the end of sewer digging, road-making, and so on. Under the old Poor Law the guardians came to the

conclusion that it was quite impossible to find work for the men and that it was better to pay them wages without their even making a pretence of doing any work. Again, where was the money to come from? It was sometimes imagined they would get it out of the pocket of the rich. But did that end the matter? Not at all. Supposing they did take the money out of the pocket of the rich, what effect would that have on the people whom the rich employed? Let them increase the income-tax; the rich man would cut down his expenses; he would say: "I must dismiss my gardener." Thus a skilled workman was turned out of work and the remedy they offered him was to dig sewers or to plant trees on the top of a moor. They all had to ask themselves sometimes: "Am I my brother's keeper?" What the Government was doing was saying: "Do not bother about one another, the Government will manage all; we will take your money from you in the form of taxation and will use it to pay people whom you do not want employed." That method of procedure must inevitably destroy the feeling of comradeship. The doctrine that people by spending extravagantly made work for the poor was no excuse for selfish expenditure. Whether they spent money on themselves or on others, they made just as much employment. The real difference was in the final utility. It seemed to him that the question was one for rich and poor alike. Were they spending their money so as to increase the general happiness of the community or were they spending it solely on their own selfish pleasure? That applied to the motor-car owners as well as to the man who spent his money in drink. They could not look at any social problem from a purely economic standpoint. If they placed taxes on the small shopkeeper for the benefit of the unemployed he would be inspired with a feeling of bitter resentment. A great Teacher told them nearly 2,000 years ago—

"Ye have the poor always with you," and they would not solve the difficulty of poverty in one day's debate sandwiched in an overcrowded programme of an autumn session. But there were some things which might be done. They could do much to organise unskilled

labour, very much as had been done at the London Docks; they could establish labour exchanges, as had been done in Germany; they could train the unfit so as to make them fit. He was willing to spend any amount of money on this latter object, because there would be some result to show for it, but what he objected to was spending money which gave no return, but only magnified the evil. After all, the final responsibility must rest with the individual and with his trade organisation, for a man had no right to spend the whole of his wages and then ask his neighbours to support him. That was the effect when the State intervened to subsidise the unemployed. He contended that it was their duty to oppose to the utmost of their strength these proposed remedies which would do nothing to solve the problem but which would make the disease worse than before.

\*MR. RAMSAY MACDONALD (Leicester) said the hon. Member for Preston had that day been more generous with good advice than usual. He had been telling them that they could not solve the problem of poverty in one day's debate. He ventured to say that no one would put forward any such statement. He remembered when the hon. Member for Preston occupied a different position from that which he occupied that day. Then he had been trying to go to one extreme, now he was going to the other extreme. The question of taxation and rating, the hon. Member knew, affected the general distribution of wealth. It mattered very little whether the State or the individual spent revenue. But it mattered very much whether the money the individual spent was well or ill earned. By judicious imposition of taxes the Government could discourage uneconomical expenditure. That was all the Government was doing. So far, he defended the action of the Government. The Government was taking a part of the national income and using it in preventing the physical, moral and spiritual deterioration of a most deserving class of the people. That was the proposal and the House had now to consider whether it was adequate or not. In considering the statement of the Prime Minister he dismissed from

his mind any idea of permanence. The right hon. Gentleman's proposal was made to tide over a difficulty. One of the usual periodical crises of unemployment had occurred. It was found in Germany, in America, in free trade and in protection countries. Unemployment was above the normal, and the Government, following the lead of the Opposition, was now attempting to carry things on through the winter in as tolerable a way as possible. But the speeches to which the House had listened that day had shown that the Prime Minister in his recent speech had not told them all that he was going to do. He drew attention to the magnificent opportunity of the Works Department. They were told that the Office of Works had large undertakings in hand, but was the Works Department going to be as mean as usual? It was true that it had employed men through the Central Unemployed Body, but it was the only body that had refused to pay the Central Unemployed Body any recoupment for the work it had done. If the Department would only turn over a new leaf, and blot out that objectionable feature, the Central Unemployed Body would be more obliged to the Works Department than it had ever been yet. Another point which he wished to emphasise was that though the great experiment in afforestation must await legislation by the Government, the Government had in their possession large areas of land which could be put under trees at once. They had only to advertise for a competent forester and in a few weeks scores of men might be employed on this land. The hon. Member for the Leith Burghs had been conducting during twenty years on his estate in the north of Scotland an experiment in afforestation which had gladdened the heart of everybody who wanted to see the people back on the land. Whoever had gone through that estate and seen that interesting and valuable experiment would really be burning with a desire to see the Government using public resources for the purpose of supplementing such voluntary efforts. He now came to what was really the gist of the Government proposal. The debate to-day had left him a little confused on the subject. The Prime Minister in his statement last

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Wednesday gave the impression to the House that the characteristic of the great schemes to which he referred was that they were to give work to what were ordinarily called unemployed men—not merely to steady the market, not to give work to men who were not now unemployed but who would be unemployed during the winter, but to find employment for the thousands now on the registers; and the right hon. Gentleman explained that he was going to find £300,000, and to provide from that Government grant the difference between the cost of these schemes as carried out by unemployed men, and the cost as carried out by competent men. The suggestion was that these works were to be carried out by unskilled men. But to-day they had been given a totally different assurance. They were told that the great bulk of the work was to be carried out by skilled men. If that was so, what was the use of the £300,000?

\*MR. JOHN BURNS explained that there was no difference between the Premier's statement and his own in effect. He had said that the two or three millions of the loan money which would be spent on useful public works between now and March next would be spent on ordinary work, less efficient labour, which generally followed up that kind of work, but which was now known as unemployed. But the £300,000 would go this year to a larger extent than it had hitherto been spent in paying the difference between the cost of the work as done by contract and that done in this way. In some cases nearly the total amount of certain works would be done out of the grant..

\*MR. RAMSAY MACDONALD said he was obliged for that explanation. The point in that case was simply that the Government would continue what was now the practice, but extend it, and instead of paying out £150,000 as was done last year, would double the volume of the grant. What then was the use of talking about the loans? The loans were just the normal operations of municipal activity.

\*MR. JOHN BURNS: No, no.

\*MR. RAMSAY MACDONALD said that if Members looked at the Papers circulated that day they would find the amount of money asked for last year was practically the same as that which had been sanctioned by the Local Government Board up to date. The amount sanctioned in 1905 was £10,000,000; in 1906, £10,000,000; in 1907, £9,000,000; and in 1908, up to date, £9,500,000. At the very best, the loans could only amount to a million or so more than those of 1905 or 1906, and it was necessary to remember that in order to get a relative idea of what the Government were doing as against what was done without Government pressure in 1905-6. They had to remember that the normal work in those years was somewhat delayed by dear money, and that in the ordinary course of events 1908 would be marked, and ought to be marked, by a large increase in the demand for loans, and that probably 1909 would be more marked still, employment or unemployment notwithstanding. He suggested, therefore, that nature and economic law were to a certain extent responsible for the pressure this year. He held in his hand a Report of a committee of the London County Council, of which the right hon Gentleman was vice-chairman, issued in 1903, a time when they were considering this question. That Report, [which was signed by the right hon. Gentleman, said—

"It is only at times like the present that the subject of unemployment is generally considered, and then the aid of the local authority is invoked to meet sudden emergencies. This demand and this suggestion is apt to be not useful but often pernicious in the long run, for the subject is one that needs great consideration."

That Report was issued at a time when a demand was being made that those matters should be removed from local authorities altogether. They found, and hon. Members who were present during the discussions on the Unemployed Workmen Act should remember, that local authorities were subject to all sorts of political pressure to which they ought not to be subjected. They therefore thought that the whole work of dealing with unemployment should be taken out of the hands of the local authorities and be put into the hands

of distress committees and such bodies as the Central Unemployed Body. If the work to be conducted by the municipalities was really the sort of work the Prime Minister gave them to understand it was, it was relief work of the worst kind. It was either useful or useless. If it was useless it was abominably bad relief work; if it was useful, it simply meant that they were putting unskilled men to do the work that skilled men would do and thereby they were mortgaging the future. If that was so it was not sufficient to give the municipalities the difference between the cost of skilled and unskilled labour, because a municipality anticipating a loan which naturally would only be asked for in, say, 1911, and asking for it in 1908, was upsetting its financial arrangements, and undertaking burdens which normally it would not, and ought not, to be asked to undertake. Therefore the relief the Government should give to such municipalities should be the difference between the cost of the work plus, say, anything between 10 per cent. and 20 per cent. of the value of the work done, in order to recoup them for other burdens. But the whole purpose of the Unemployed Workmen Act, and this was the gravamen of the charge against the Government, was to take from the public authorities—and experience had shown that whilst the public authorities did this they were subject to most illegitimate influences—the responsibility of providing work for the unemployed. Why was it that in the Prime Minister's speech not a single word was said about distress committees as agents for the administration of this fund. They were told only to-day that no grant was going to be given except where there were distress committees. That showed how subordinate distress committees had become. This was the position. The Act of 1905 was passed for the purpose of enabling them to experiment in treating the unemployed. It created distress committees in the provinces and a Central Unemployed Body in London. The Local Government Board was charged by that Act to give these authorities certain facilities and powers. It had not carried out its duties. The Prime Minister told them the Government was preparing to deal

with a specially bad time of unemployment, and he went back to precisely the position they were in in 1905 before that Act was passed, and he had not got a single word to say about the development of the powers and the opportunities of the distress committees. The fact was that distress committees at present were at their wits end to provide work for the unemployed. The municipalities had shunted off the responsibility to a very large extent on to the distress committees where they existed, carrying out the idea of the right hon. Gentleman in the Report.

\*MR. JOHN BURNS: No. I was one of the few men on that side of the House who predicted that the Unemployed Workmen Act whispered relief to the ear, and broke it to the hope, and to the extent that the Imperial Parliament gave a subvention for local work, so would the municipalities shirk their obligation to the community and to the workmen; and it has come true, I am sorry to say.

\*MR. RAMSAY MACDONALD said the right hon. Gentleman's statement was right, but in this report he took up the position that the municipalities, when they were asked at times of special distress to provide work for the unemployed, would provide useless work and do it badly, and the whole thing foreshadowed in the paragraph from which he had been reading was some independent authority looking after this particular kind of work. But if the prophecy of the right hon. Gentleman had been fulfilled, and the distress committees had done so very little, fortunately for him it had been in his hand to have defeated that doleful prophecy of his, and the result was that the prophet in this respect was Providence, and he was able to defeat the purpose of the Act by carrying out his own intentions and preventing the administration of the Act. The grave omission that they found in the statement was this, and it was a supreme omission. As the hon. Member for Woolwich had pointed out, the difficulty with the distress committees had not been so much the want of money. The right hon. Gentleman had told them

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n the most gay way that some committee had £3,000 in hand and another £1,200. But why? Because they had not finished their work—they had unfinished schemes in hand.

**\*MR. JOHN BURNS:** You cannot accuse me of niggardliness on the one hand and extravagance on the other. The fact is I gave West Ham last year £21,000; £7,000 was put aside for emigration and the rest was given them for works. The balance in hand only six weeks ago was £1,500 on works and over £7,000 for emigration. I sincerely regret it, but I in no way restricted the activities of West Ham either for emigration or for works. It was due to the fact that I gave them all they asked for. Their ability to provide work was not proportionate to my generosity. That was not my fault, but West Ham's misfortune.

**\*MR. RAMSAY MACDONALD** said that was exactly his point. The emigration scheme for some reason did not come off, and they were left with money but the money was earmarked, and the money that was still to be spent on work had to be spent upon work which was not finished.

**\*MR. JOHN BURNS:** No, the hon. Member is entirely mistaken. Immediately they came to me with the information that they had a balance I at once did what any sensible man would do. I sent for the secretary of the distress committee and said: "Bring schemes of work so that you can at once start spending the £7,000," and we are mutually engaged in promoting that useful measure.

**\*MR. RAMSAY MACDONALD** said that was exactly it. They brought schemes of work, and now they were carrying them out. If they had any unexpended balance upon the work it was owing to the fact that they found it practically impossible to find new work. He was not quite sure whether, as a matter of fact, they had an unexpended balance, but if they had it was because their work was not exhausted. Before it was exhausted the whole of the money would be spent, so that the balance was only a fictitious

one. If on the other hand they had not enough work to enable them to spend money it was owing to the fact that distress committees were beginning to experience more and more the difficulty of finding enough work. That was the whole of his argument. There was no man in the whole country to whom they owed more than to the Chairman of the Central Unemployed Body, Mr. Russell Wakefield, for the laborious work he had put into the solution of this intricate problem. In a letter which he had sent to the papers that morning he made this important point—

"But all this" (that was the money) "will not suffice; and one does not see where to turn in order to find some employment for a large number of men really deserving and capable of earning very nearly 100 per cent. of their wages. I trust that some of you may be able to assist in this matter, but I cannot help feeling that the Government has accepted to some extent the responsibility. They tell us that the problem is serious; they say, we will make it easy for men to apply for work; they add, we will do our best to supply a generous amount of money; but at the present moment they would be doing infinitely more for us, for London especially, if they would show us something, if possible national work, that our people may be employed upon."

That was the important point at present. Hon. Members must not be misled by the quotation of large sums of money which were being thrown at distress committees. The distress committees wanted work, and the duty of the Government had been just as much to tell them how to provide work, because it could not be provided locally, though it could be provided nationally. They had no machinery for this. The right hon. Gentleman said they never had any complaints from distress committees. It all depended on what they meant by complaints. He was the Chairman of a committee of the Central Body, and they were constantly complaining about the right hon. Gentleman. He told them he had refused no deputation, but he had refused deputations from the Central Unemployed Body, and he had refused in answer to the hon. Member for Manchester to receive a deputation from the Municipal Corporations Association.

**\*MR. JOHN BURNS:** That was not on the unemployed question at all. It was a question of electricity loans, as to

whether the salaries of permanent officials and the wages of permanent men should be paid out of loans.

MR. CLYNES (Manchester, N.E.): My information in connection with that deputation is entirely different.

\*MR. RAMSAY MACDONALD said he was not mistaken about the women's work deputation. The Board did not receive it, but requested them to put their demands in writing and the Board would consider them. But then that was not the only test. They would like to know whether any local authority entitled to appoint a distress committee under the Unemployed Workmen Act asked that a distress committee should be appointed and met with a refusal. A public authority responsible to electors was allowed to do certain things under an Act of Parliament provided the Local Government Board gave them sanction to do them, and if those authorities asked to be allowed to act under that Act, and if the Local Government Board refused to allow them, surely that was a complaint. The fact of the matter was that deputations had been refused—

\*MR. JOHN BURNS: I am very reluctant to interrupt the hon. Gentleman. I see the Chairman of the Central Unemployed Body, and have done for the last three years on an average, between November and March, twice a week, and when I was asked to see him with two ladies in connection with women's workrooms, I assented. But it seems to me if I am always to be giving what time I have to spare to endless deputations, I cannot do the material work.

MACDONALD said that the Gentleman had stated that he had a right to see him, and stand. But his statement was more absolute than any other impression to be derived from the records. He left the matter to the Unemployed Body for consideration. Their charge was in connection

with this proposal was that it had neglected all opportunities for meeting a crisis except by issuing a circular and asking certain local authorities to put work into operation. The Prime Minister, for instance, talked about elasticity. He had given them a pledge that the Act was going to be administered with more elasticity than before. The hon. Member for Merthyr Tydvil asked for a consultative committee in order that the £300,000 might be administered by a committee of the Cabinet or an outside committee. He hoped they might criticise the Department without appearing to raise the question of the personal conduct of the head of the Department with whom they would be only too glad to work more harmoniously than he had allowed in the past. The two heads of the Local Government Board had been the most severe critics of that Board. He could remember the right hon. Gentleman in the old days using the initials L.G.B. for the purpose of pouring scorn and contempt upon Whitehall, and the hon. Member for West Ham had told them, within twelve months, that its methods were antiquated and its machinery difficult to move. The point that the Labour Party wanted to make was that they would have no elasticity in the administration of the Unemployed Workers Act until a consultative committee had been appointed. Taking Hollesley Bay as an example—that establishment was started as an educational experiment and not for the purposes of relief work. It subsequently became mere task work, the heart went out of the men, and the superintendent would tell them what fatal results followed. A deputation went to the Local Government Board to ask to be allowed to carry out the original scheme, and were told by the President that it could not be allowed because there was no legal power to do it. A really live Local Government Board would have recognised that the success of the experiment depended upon its being an annexe to a small holding settlement and would have undertaken to see that the facilities required for success were provided. Let them take, as another instance, the women's workroom; a correspondence was begun on 16th March—raising the question whether



the committee could sell the stuff made at the room—which was not finished until 20th October. The Board objected to all the schemes.

**MR. JOHN BURNS :** Oh, no.

**\*MR. RAMSAY MACDONALD :** Well that was the interpretation of the committee as the correspondence abundantly showed. That was the sort of assistance the Local Government Board had given the committee. The cause and origin of all their complaints was the slowness, the want of sympathy, the sort of *non possumus* attitude that had characterised the administration of this Act by the Local Government Board. If the Prime Minister really wished to give the Labour Party a guarantee that there was going to be elasticity of administration, let him appoint a consultative committee on the lines of the Consultative Committee of the Board of Education. The money would not nearly meet the case then, and the work that was required before the money could be spent would then be provided by the Government. A circular ought to be issued to the distress committees pointing out what had been successful experiments and what had not. The circular issued during the last three or four days about which so much credit was being claimed by the Local Government Board was not nearly so helpful as the circular issued by Mr. Chamberlain in 1886.

**\*MR. JOHN BURNS :** I have not issued any circular during the last three or four days. In reply to a question on Friday last I have issued a statement of the loans. I have not issued a circular similar to that issued in 1886, because experience between that date and now shows that if you issue such a circular it is only a signal to those out of work, and to those who do not want work to come to those particular districts from all parts of the kingdom to share it.

**\*MR. RAMSAY MACDONALD** said he saw a letter in the Press written by the right hon. Gentleman, and he understood it had been sent to several authorities. It was published in full, as sent to the London County Council, and he

certainly understood that it was generally sent out.

**\*MR. JOHN BURNS :** No.

**\*MR. RAMSAY MACDONALD** asked why then had the Prime Minister told them that the Local Government Board had brought pressure to bear upon the local authorities. That had added to his confusion. The only way he could imagine the right hon. Gentleman bringing pressure to bear was to write a nice civil letter, and he assumed that such a letter had been written in the form of an ordinary Local Government Board circular. During the last three years some of the experiments had been miserable failures, sometimes because nature was against them. Some of those experiments had been a sort of half failure and half success. If the Local Government Board would issue a statement to the authorities that were going to be responsible for the expenditure of public money during this winter telling them, not what they ought to do theoretically and hypothetically, but what other authorities had done successfully and what they had failed to do, it would be of great benefit. They wanted the Local Government Board to take up the attitude, not only of negative critic but also of positive adviser at this moment. They wanted the Local Government Board, now that they were scientifically considering the administration of the Unemployed Workmen Act, to extend the experience of that administration. If that was done, there would be no vote of censure, or motions that meant a vote of censure moved from those benches. The fact of the matter was that hon. Members must accept the assumption that their experience of the last three years had made the Labour Party come to the conclusion that in the further administration of unemployed schemes the Local Government Board ought not to be held in absolute confidence. The Local Government Board as a department, as part of the administrative machine of this country, had forfeited the confidence of every strong-minded and strong-willed reformer in the country, and in order to restore confidence, some sort of positive and constructive action should be taken,

and it was for the purpose of getting a statement to that effect that the Amendment had been moved.

MR. PICKERSGILL (Bethnal Green, S.W.) said the House was not now considering what should be the permanent solution of the unemployed problem. The Prime Minister had promised to deal with that in the course of next session and nobody who heard the speech of the right hon. Gentleman on Wednesday last could doubt for a moment that he would carry out that promise. All that they had to consider now was how to get over the coming winter, and whether the proposals of the Government were adequate for that purpose. He wanted to say a word with regard to the question of loans, and particularly those loans to which the Prime Minister called special attention as having been sanctioned within the last few months, namely, those amounting to £1,500,000 which were to be spent on ordinary municipal work. The right hon. Gentleman said that these loans had been sanctioned upon the distinct understanding that the unemployed were to be put to work upon them. If that was so, it seemed to him that there was very serious risk of their employing the relatively unfit and of throwing the more expert and fit workmen out of their jobs. He was very happy indeed that those loans had been sanctioned, but so far as ordinary municipal work was concerned, or rather this addition to it, it ought in his opinion to flow through the ordinary channels. [AN HON. MEMBER: "It will."] He had his misgivings, for the reason that these loans had been granted to the local authorities upon the distinct understanding that they were to go to the relief of the unemployed. Where were those responsible for the carrying out of the works going to look for their labour? Were they going to the registers of unemployed? If they were, he thought it would be a very mischievous thing. They ought rather to go to the labour yards, the builders' yards, or to the offices of the municipal authorities. This additional municipal work ought, as he had said, to flow through the ordinary channels, otherwise it might do harm rather than good. He hoped he was wrong, but he was afraid that as the result of the stipulation to which the

Prime Minister drew attention with respect to these loans this supply of work would not flow through the ordinary channels. Ordinary municipal work was not proper work on which to put those who registered themselves as unemployed. For this purpose they ought to go outside of the ordinary routine work which municipalities performed. It seemed ridiculous to him to suggest that there was no work outside of ordinary municipal work which could be described in the best sense of the term as useful work that would increase the amenity of the district in which the work was done. It was said that there was a difficulty in finding that work. He suggested with great respect that Ministers should follow the precedent set at the time of the Manchester cotton famine in the early sixties, when Sir Robert Rawlinson was sent by the Government to Lancashire to see what useful work could be undertaken. Let the Government send selected and expert men—not officers of the Local Government Board, because that Department by its traditions and its association with Poor Law administration was disqualified from dealing with this problem—into the distressed localities, and there would be no difficulty in finding work of the kind which he had indicated—work which would not otherwise be done, and yet would be useful. What a large portion of the unemployed required was not only work but training. He had intended to refer at some length to the experiment at Hollesley Bay, but his hon. friend the Member for Leicester had already dealt with that subject. He might say that social reformers in the East End of London, and not especially those of the party to which he himself belonged, had regarded Hollesley Bay as a most promising experiment, but not so promising as it might have been if only the right hon. Gentleman had allowed it to be extended. The Central Body desired that it should be extended. On the last occasion on which the right hon. Gentleman spoke, just before the recess, he assumed an unsympathetic attitude towards those work people, and he quoted the chairman of the workrooms committee and conveyed to the House the impression that the chairman had spoken disparagingly of the work and thought little of it. A fortnight later

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the chairman in a letter to *The Times* stated that the right hon. Gentleman, no doubt unintentionally, had entirely misrepresented her own views on the subject. He hoped the right hon. Gentleman would not discourage the use of these workrooms, but rather allow them to be extended. He wrote to the Press some time ago urging that the restrictions on the imposition of the rate under the Act of 1905 should be removed. When he made that suggestion he had mainly in view the case of London, because if it were applicable to these works it would produce a considerable sum. The Government refused to amend the Act in that direction. If it had been so amended the responsibility would have been thrown to a considerable extent on the local authorities. By refusing to do that the Government had taken a greater responsibility upon themselves. The case of London was particularly hard. The right hon. Gentleman had stated that in Leeds the voluntary subscriptions amounted to £20,000, while the amount which could be obtained in London in the shape of voluntary contributions was absolutely inappreciable. Last year only £572 was received. At the present time there were 17,000 names entered on the unemployed register. That was a fact which certainly ought to appeal to the Government. He wished to point out what happened last year. In Woolwich there were 1,658 applicants and only 283 were helped. In Camberwell there were 2,223 applicants and only 125 were helped. The local distress committees were very sore about the way in which they had been treated. [AN HON. MEMBER: By whom?] By the Government's raising hopes and not fulfilling them. For instance, the local distress committees were urged to collect the names of those who required work, and they did so. That raised hopes in the minds of these poor people, and then they found that only a miserable percentage of the persons who applied could be relieved. In his own borough of Bethnal Green the council refused this year to appoint representatives to the distress committee altogether. He regretted that they had done so, but their action showed how they felt the difficulty of the position in which they

were placed. On Wednesday last the Prime Minister used these words—

"There can be no doubt, I think, that during the present autumn and winter, if nothing is done, we shall be face to face with a large body of industrious men and women who, through no default of their own, find for the time no demand for their labour in the ordinary market, and who, unless steps be taken, must be compulsorily reduced to idleness and want. Sir, I need not say—speaking for a moment on behalf of the whole House—they have our profound sympathy. They have a right to demand, and it is our duty to give them, something more."

Let the House note the gravity of that statement. It was really granting the whole case of the hon. Gentlemen on the Labour benches. Having accepted in that statement the principle of the right to employment, the Government ought to go further and find the means for making that acceptance operative. There was a most remarkable difference between the tone of the Prime Minister and that of the President of the Local Government Board. Nothing could exceed the gravity of the emergency in the opinion of the Prime Minister. His language was as grave as it was possible to be, but, from the speech of the President of the Local Government Board that night one would have thought that there was scarcely any emergency at all. In fact the President of the Local Government Board had never recognised the gravity of the case, and it was clear that he did not recognise it that night. He appealed most respectfully to the Prime Minister to give some assurance to the House before the debate closed that the spirit of the statement he had quoted would be carried out by the Government.

\*MR. HELME (Lancashire, Lancaster) congratulated the President of the Local Government Board on securing the help of the Admiralty and Board of Works in anticipating necessary expenditure, and said the work proposed to be given by the Government plan in different localities would be most helpful to the districts to which it applied. In the matter of unemployment prevention was better than cure, and that would be the case in respect to the provision of work now being arranged. He, however, urged the President of the Local Government Board to turn his attention to the

case presented by the Deputation of Indian Railway Companies and other Indian traders last year in regard to the urgent want of railway stock on the Government and other railways in India. The deputation went fully into the question with Lord Morley, Secretary for India, and showed that £2,000,000 or £3,000,000 could be profitably spent in increasing the rolling stock for the Indian railways, which rolling stock could be made in this country. If the orders were now given for that rolling stock it would do away with the distress existing in towns dependent on that large industry. In the constituency he represented they felt very keenly the lack of employment in consequence of the delay in placing work in that direction. He asked the President of the Local Government Board to continue the work done in other Departments by conferring with Lord Morley as to expediting work which might be done for the Indian Department.

MR. KETTLE (Tyrone, E.) said they had heard a great deal about the spirit with which the Local Government Board had dealt with this question of employment. What was the spirit of the Irish Local Government Board? Had it any spirit at all? Ireland was not a great industrial country and the problem of unemployment did not arise in Ireland in the same shape as it did in England. In Ireland they had not solved the problem by the same would-be scientific methods as in England. There they had found a much simpler solution. They exported the unemployed to America. The people who could not find employment in Ireland made their way to Greenore or Queenstown and took tickets for the United States. In that way this country and the House were saved any effort to provide employment for them. Forty thousand went to the United States last year and 40,000 were going this year. That particular aspect of the question would be only solved when the Government had the courage to enter on a complete solution of the land question. Ireland, as he had said, was not a great industrial country, and when he saw the success of the system in such centres of light as Manchester he sometimes thanked God that Ireland was not a great indus-

trial country. Nevertheless she had got some industries, and in his short experience he had never known such distress as Ireland was going through this winter. He was surprised that the hon. Gentlemen who represented the most benighted portion of Ireland were not present trying to do what they could for that magnificent industrial population in Ulster of which they heard so much. He wondered if they had heard of the acute depression in the linen trade. He noticed that a Question had been put as to how much of the £300,000 to be granted by the Government to assist unemployment was Belfast getting. That was the sum total of their interest in unemployment in Ireland. He did not profess to know or understand the great industrial community in the North of Ireland, but he knew that there was great distress in Belfast. He knew, however, something of the distress that existed in Dublin. West Ham and East Ham were always cited as examples of terribly poor communities in favour of which the English Local Government Board must dip its hands into the Imperial treasury. He thought in the poor Catholic districts of Ireland there was far acuter poverty than in West or East Ham. In Dublin there were 24,000 artisan and labouring families living in single-roomed tenements. The industrial depression had hit Dublin very hard. They had no statistics on the subject. They had no statistics in Ireland except of the number of the police and of the salaries of the judges. They had no satisfactory reports as to the administration of the Unemployed Act of 1905 in Ireland. They did not know what the Irish Local Government Board had succeeded in doing, or what they were going to do in regard to unemployment. All they knew was the information they obtained from living in Dublin, and all he could say was that this winter was going to be one of the very worst in recent experience in regard to distress. An official of the printers' trade union in Dublin told him that the men in that trade were generally well employed, but that at this moment 300 of them were out of work. And the same story could be told of every skilled and unskilled trade in Dublin. He agreed with his friends on the Labour



benches as to the inadequacy of the plan of the Government. There were few men in Ireland, he thought, who would enlist in the Special Army Reserve. The working of the Unemployed Act in Ireland had been a failure. The total amount in aid of distress received in Ireland from the Imperial subvention was less than £5,000—less than the salary of a single Judge of the High Court. And why was that? It was because it was made a principle in order to secure an Imperial subsidy that they must either strike a rate or raise subscriptions in the locality. They could not do that in Ireland; certainly not in the small industrial towns with which he was acquainted. That was the policy of feeding a dog with his own tail, with the addition that in this case the dog had no tail on which to feed. It was an absolute mockery and derision to ask small towns like Dungannon to raise £500 locally on the chance of getting £1,000 by way of subvention from the Imperial fund. Was there any fixed ratio between the amount of the Imperial contribution and the amount raised locally? He found that it was £3 to £1 in West Ham, and only £2 to £1 in Dublin. But supposing they succeeded in Ireland in raising money in many of these towns, who was to be responsible for its administration? Who was going to see that Ireland got her share of the £300,000? He wanted to know if the Government had got any information, any statistics, or any policy whatever with regard to unemployment in the industrial centres of Ireland. His belief was that it had not. The impression that the debate had made on him was something in the nature of the effect that it had had on their absent friend the Member for Colne Valley in regard to English unemployment. England knew nothing about it; she cared nothing about it. He did not know at this moment whether the right hon. Gentleman the President of the Local Government Board for England knew anything about it, but he felt somewhat at home when he found the English Local Government Board as unpopular as that of Ireland. He did not know if Ireland got £4,500 last year. He came over to Parliament

without being himself interested in the progress of the Licensing Bill. He came over to try and discover whether the Irish Government had any policy as regards unemployment in Ireland, and above all whether it had any money and if so, how much? His theory was that unemployment in Ireland as it affected rural districts was due to the land question, and that the English people were doing nothing to solve the question. Neither was the Government. The only people endeavouring to solve the question were the cattle-drivers. Their theory was that unemployment in the industrial centres of Ireland was due to political arrangements in that country. They had got a solution, but it was not free trade or protection, but Home Rule. Although he might have seemed to have slipped into levity he wanted serious action, if there was any within the precincts of the House, as affecting the unemployment question in Ireland.

MR. A. J. BALFOUR: I do not wish to deal with the Irish aspect of this problem which has been referred to by the last speaker, because there are other things on which I desire to speak which do not touch one portion of the United Kingdom in contradistinction to another portion, or to the exclusion of another portion. I have to deal with a problem belonging equally to every part of the kingdom to which we belong. I hope the Prime Minister has noticed that we have now reached a period of the evening when it is by custom necessary for the Leader of the Opposition to get up and speak from the point of view of his friends. So far, not a single one of his friends has had an opportunity of speaking except my right hon. friend who was so long connected with Local Government Board work. I do not believe such an event has occurred before in our Parliamentary history. The magnitude, complexity, and importance of the questions are not likely to be denied in any part of the House, and that the regular Opposition should only have been allowed to have one speech before the Leader of the Opposition gets up at a quarter to ten o'clock is, I believe, absolutely without parallel. It is most deplorable that the Government should

not have found an opportunity of giving us a second day on this question. Ground for that statement is surely to be found in the condition of ignorance in which we, on this side of the House, and, let me add, Gentlemen on the other side of the House, necessarily find themselves on the present occasion. I put in a plea when the Prime Minister made his speech the other day that we should be allowed rather more than the four days which have actually elapsed before this debate was taken, because I knew from my not very brief Parliamentary experience that it would be quite impossible to elicit from the Government by Monday all the information which was necessary to enable us to discuss the question in an intelligent fashion. The right hon. Gentleman's statement was made on Wednesday, and any questions put down later than Thursday could not appear in the Paper till to-morrow. Therefore it was perfect folly to suppose that we could enter upon this thorny topic armed with the information necessary to form a judgment upon it. Hon. Gentlemen below the gangway thought they were helping their cause by suggesting that the debate should come on as early as possible, and the Government, I need hardly say, enthusiastically seconded the proposal to hurry on the debate, not because the date of the debate would affect the unemployed, because what the Government is doing is done irrespective of this debate. It was not because a single man would be injured by having the debate next Thursday or next Monday, as I suggested, but simply because they saw that the earlier the debate came on, the less would be the meagre information at our disposal. Nothing was pressing except that the Government should get over the question, and, in consequence of the happy alliance between the Government and those who moved the vote of censure, we approach this topic in a greater state of ignorance of the facts with which we have to deal than I suppose has ever occurred before in dealing with such a question. At Question time I asked the Prime Minister to give the best information he could in regard to the extent of the distress, the character of the distress, and the classes of workmen thrown out of employment; but the Prime Minister frankly admitted that he could not give

me any information. How on earth we are to approach this discussion when the Government themselves, who have framed these proposals, admit that they have not in their possession the facts on which alone a proper judgment can be formed, passes my understanding.

If I turn from the circumstances of the debate to the debate itself, I can only add my tribute to the tribute already paid by my right hon. friend to the peculiar character of the two speeches made in favour of the Resolution which in its terms passes an enthusiastic an eulogy upon His Majesty's Government. I suppose the Whips of the Party selected the Gentlemen as sponsors for this unmeasured expression of confidence, but I admit that I think they have chosen extremely badly. There was a perfunctory tribute to the eloquence of the Prime Minister which was really not in question—it is commonly admitted on both sides—but as for any praise of the Government's policy, I really heard none at all. Not only were these two Gentlemen very cold and grudging commentators on the Government's policy but they could not even agree among themselves. The mover of the Motion began his speech by an observation which seemed to be a preface to a tariff reform discussion—a subject with which we have no reluctance to deal—if the Government desire to give us a day to do so. The hon. Gentleman turned to commentaries which really seemed to me even more inappropriate than those with which he began. He began by saying that he thought the burden of dealing with the unemployed should not fall on the rates, but he thanks the Government for having introduced a plan throwing a burden on the rates. His second observation was that economic law had been under the tutelage of the present Government entirely abolished for which he was taken to task by the seconder. He went on to say that what we ought to do was to have a free and ungrudging recourse to relief works. If there is one thing upon which the vehement and courageous orator who presides over the Local Government Board insists, it is that relief works are an abomination, that they are corruptive, demoralising, and costly. That is his comment on the admirable plans for finding employment.

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To do the second justice, he was more careful. He said nothing very violent against the Government. After a preface in which he hoped that this would not be treated as a party question, he told us that, after all, the party to which we belong had done nothing in the question of unemployment, but he congratulated us upon at last showing an interest in the subject. He then went into a survey of the economical history of the last seventy years, and posed as a sort of apostle of the philosophic Radical Party. Indeed, I heard a quotation from John Stuart Mill, which the hon. Member seemed to suppose supported his contentions. As a matter of fact, the philosophic Radicals of whom the hon. Member is a distinguished representative have always, until the hon. Gentleman spoke to-night, vehemently opposed the policy of the Government. I am not going to dispute economics with the hon. Gentleman, but I may make this observation, that it is on the Act—for good or for evil—passed by the late Government that the whole proposals of the present Government are founded. It is on the Act passed by the late Government that all the references in regard to labour bureaux and the interchange of labour, of which, personally, I have the greatest hope—on that Act all these proposals are founded. I can see nothing novel in what the present Government are doing, except in certain particulars to which I may be allowed to advert. I am sure the Government themselves will not assert there is anything new, except in the particulars upon which I will say a word, worthy of consideration. What are the novelties to which I refer? There is, in the first place, the Post Office. I do not remember that we claim any credit for the work done by the Post Office for dealing with temporary unemployment, and I cannot quite make out what the present Government are doing. I believe an hon. Gentleman below the Gangway said the Post Office proposals were a fraud, but I do not associate myself with that rather vehement statement. I will content myself with saying they are microscopic and negligible. It seems that in London, where the difficulty is deeply felt, they are going to add 300 men to the number they used last year, when, we are told, trade was booming

and every labourer could find employment. That was the kind of argument used last year. Yes, I remember it quite well; it was said in connection with tariff reform during discussion; but hon. Gentlemen do not bring their statements into harmony one with the other. It is really extraordinary that the Prime Minister, exhibiting in his shop window all the good things that are to be, or might be used, should give such a prominent place to this insignificant figure of 300 whom the Post Office are going to help.

**\*THE POSTMASTER GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar):** Will the right hon. Gentleman allow me to explain that what the Prime Minister referred to was a change in the policy of the Post Office, by which we departed from the custom of taking on for extra work at Christmas men who are partially employed, and are engaging as far as possible those who are wholly out of other employment? That is what we are carrying out this year, and the system will be extended to the provinces. The Central Unemployed Committee have been informed that we have placed at their disposal 1,500 places; and, in addition to these, many thousands, probably, in London and the provinces will be taken from the unemployed.

**MR. A. J. BALFOUR:** I do not see how the right hon. Gentleman's interruption—the quite courteous and relevant interruption—agrees with the figures he gave us at Question time. The right hon. Gentleman stated at Question time that he was going to employ 8,000 this year, and that last year he employed 7,700. I believe that by all the rules of arithmetic 7,700 taken from 8,000 leaves 300.

**\*MR. SYDNEY BUXTON:** The position I want to make clear is that we shall in the coming Christmas, as last Christmas, as far as possible employ wholly unemployed men instead of men who are doing other work.

**MR. A. J. BALFOUR:** It now becomes clear that in order to employ more unemployed the right hon. Gentleman is

going to displace some employed. Let me tell the hon. Gentleman opposite who says I am unfair that I was here at Question time and he was not. If there has been any misrepresentation it has not been wilful, but has been due entirely to the right hon. Gentleman himself. But I pass from that, which seems to be a small matter from every point of view, including the point of view of the unemployed. I turn to another of the novelties which the Government have introduced into their scheme. With regard to shipbuilding, I understand what they say is that if the Navy required certain ships at once they would have been ordered at once, but that what they have done is to order ships before they are required in order to meet the case of the unemployed.

**THE FIRST LORD OF THE ADMIRALTY (Mr. McKENNA, Monmouthshire, N.):** The ships will no be finished any sooner.

**MR. A. J. BALFOUR:** The First Lord of the Admiralty has anticipated the precise criticism I was going to make upon this proposal. Everybody who knows anything of shipbuilding knows that there is no more costly way of building battleships, cruisers, or destroyers than that of expanding the period during which they are being built. If there is one matter upon which all Boards of Admiralty have been agreed it is that when you begin a ship you cannot go on with it too quickly in the interest of efficiency.

**MR. McKENNA:** The amount of time involved is that of forestalling the laying down of the ships by some six or seven weeks. By that means the contractors, before 31st March, will have spent £200,000, which means the employment of from 7,000 to 8,000 men. But the laying down seven or eight weeks earlier of contracts which last a couple of years does not materially affect the completion of the ships by more than three or four weeks one way or the other.

**MR. A. J. BALFOUR:** This again shows the desirability of giving more time to the discussion of this matter. If time availed, I should like to ask the

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right hon. Gentleman how an alteration which makes only three weeks difference in the time of the completion of the ships gives additional employment to 8,000 men. After the explanation of the two right hon. Gentlemen opposite, I am, indeed, surprised that the Post Office does so much and gets so little, and that the Admiralty does so little and gets so much. Now I come to the last of the exceptional methods which the Government have devised for dealing with the crisis, and those are the two plans which are due to the ingenuity of the Secretary of State for War. One of the plans deals with the Special Reserve, and the other with the Reservists. As regards the Reservists, the right hon. Gentleman made a brief but clear speech in the dinner hour in which he told us that the absence from this country of 10,000 Reservists, whom we might require in the case of an emergency, carried with it no danger, in view of the fact that our Reserve is now above its normal limit. There may be some truth in that. Again we have no opportunity of pressing the right hon. Gentleman. Here is a problem started upon us in the middle of a debate which deals with one-tenth or one-twelfth of our Reserves—the Reserves upon which the whole efficiency of our Army depends. We hear nothing of it until seven o'clock in the evening, and get no explanation till the right hon. Gentleman gives us one at 8.30 p.m. when the House was extremely thin, and a matter which really concerns the whole defensive interests of the country is dismissed without the majority of the House having the smallest conception of what has been done. I turn from the Reserve to the Special Reservists. Again the Prime Minister showed almost superhuman ingenuity in displaying his goods in the shop-window. When I read his first utterances outside the House, and when I heard him in the House last Wednesday, I thought there was some new arrangement of the War Office which was going to give an extra amount of employment to a most deserving class of His Majesty's subjects. I cannot discover that there is to be any change at all. The Government are not going to ask for any more men, they are not going to ask for them under different conditions, and they are not going to



them more pay. What have they done for the unemployed which they did not do last year or the year before? I have been interrupted by two right hon. gentlemen. I should be most gladly interrupted by the right hon. Gentleman, Secretary of State for War, if he will tell me what they have done by these arrangements except advertise their scheme.

**HALDANE:** Nothing would have induced me to interrupt the right hon. Gentleman excepting his pressing business. We have opened up the Special Service Corps and the Army Medical Corps, which are necessary for mobilisation of the Expeditionary Force. That is the change we make.

**A. J. BALFOUR:** I understand that doctors are out of employment. I was left in some difficulty and confusion by the other two interruptions, but both the Postmaster-General and the First Lord of the Admiralty find it a peculiarity itself in comparison to the Secretary for War. It appears that the Secretary has done nothing, but he has advertised two things. He has emphasised the fact that men may enter the Special Reserve, and he has given emphasis to the fact that by £3 they may get out of it. By joining the Special Reserve, they get wonderful things promised them: a day, admirable food, excellent lightful lodgings—and while they have these admirable things, if they are in the country gets nothing. I can make out by this precise advertisement whether the right hon. gentleman wanted to fill his Army or to empty it. I have the impression here. He emphasised that at a recruit in ordinary circumstances is allowed to purchase his discharge at any time for £3. That was an advertisement which the right hon. gentleman perhaps very properly put in the papers to give publicity to my scheme. But what has this to do with the unemployed? I have gone through all the three things. His Majesty's present advisers are one outside the Act we passed in 1905, and the House will agree with me, that they are all wanting. I cannot see

that the smallest benefit or anything more than the smallest and most microscopical benefit is done to any of the unemployed by anything in the plan of the Government.

I come to another point on which I wish to ask a few questions. The Government made a considerable point of having altered, not the Bill brought in by Mr. Gerald Balfour, but the regulations passed by the Local Government Board when he was President of that Board. They have given no justification for those relaxations at all. Avowedly and obviously, the Act of 1905 was so novel an experiment that any Government would have been justified in proceeding cautiously and tentatively with such a great problem, and nobody could have complained if their successors, after three or four years experience of the Act, had desired a change, or required some modification. But I think that the change should, at all events, have been argued by the Government. Not a single word has been said, so far as I know, either by the Prime Minister last Wednesday or by the President of the Local Government Board to-day, justifying that change. The reason I brought this up is not in the least because it is a change from what was proposed in 1905, but because I think it does really raise a rather important point. The two regulations which they have abolished are these. It was laid down in the Regulations of 1905, in the first place, that no man who had received Poor Law relief was eligible under the scheme of 1905. It was laid down, in the second place, that no man should obtain relief under the Act of 1905 if he had received relief in each of the last two years. Now what were the objects of those regulations? They were to keep perfectly clear the distinction between the man in regular work, the skilled artisan on the one hand, and the casual labourer—the man who is not only unemployed but unemployable—on the other. It was intended to distinguish between the workman by some accident temporarily thrown out of employment and the unhappily large class who are either casual labourers through no fault of their own, or who, through fault of their own, are unfit for anything but casual work. Now that was a good object, and I think we

ought to be told quite clearly why those two regulations have been abolished. Observe the particular kind of evil which pressed upon us so acutely in 1905. It was this, that if a man in regular work, sober, industrious, skilful in his occupation, found himself by a temporary accident thrown out of employment, and he was driven to the workhouse, his family was broken up, his home life was utterly destroyed, and he and those belonging to him were on an incline leading to hopeless demoralisation and perpetual pauperism. Ours was a real attempt to deal with want of employment of the employable, and it was to differentiate their case—however crudely and ineffectually—from that of the persons for whom the ordinary Poor Law exists that we laid down these regulations. This really does touch a vital problem, with which we have got to deal and which, be it remembered, is at least twofold. What we have to deal with in the future in this country is, in the first place, the problem of the artisan or the labourer thrown out accidentally by one of those changes in trade, alterations in public confidence—whatever that may be—which make for prosperity or adversity, and we want to have that man protected from the consequences for which he was not responsible, so that when better times come he can return uninjured to his normal life. That problem is absolutely different, and must be dealt with on wholly different lines, from the problem of the drifting population—those who, through faults of their own sometimes, do not deserve continuous employment. If you obliterate that distinction, you do infinite harm. You apply to the undeserving a rule which ought only to be applied to the deserving; and I think you encourage a certain class of employer, who ought to be utterly distinct—the employer who at the favourable times of the year looks to have at his disposal a vast amount of labour competing for employment, but who is quite delighted to throw them upon the municipality or the taxpayer during the months when he does not want them. I am afraid that by this rather rash alteration of the rule you have obliterated the distinction between those two problems, and, in doing so, I do not think that you

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have done a good thing in the interests of that which we all have at heart. I could not for the life of me bring together or get into one picture, or one focus, the general view the President of the Local Government Board laid down about relief works, demoralisation, and the necessity of the poor laying by for an evil day—with all which I have the profoundest sympathy—and the actual proposals of the Government. I can assure the right hon. Gentleman that I listened with sympathy to his speech, and I admired, as I always admire, his courage, but I could not make a coherent theory out of the various fragments he laid before us; I could not see in one picture his views of the demoralisation which relief works necessarily produced, and the scheme of relief works which he is going to carry out largely at the cost of the local authorities. Perhaps the Prime Minister will be able to bring these various utterances into harmony and show that concord exists where I see only chaos and discontinuous atoms unconnected by any general law. That brings me to a question I particularly want to ask the Government. The Prime Minister, speaking on Wednesday, detailed at great length and immense elaboration a catalogue of the kind of loans which had been sanctioned by the President of the Local Government Board. The Prime Minister's view, in short, is that loans are the proper way of providing for work which may or may not be of utility, which may be electric tramways, or sewers, or also ponds. He thinks the proper way to deal with these is by loan. Yet the right hon. Gentleman particularly has explained that the one thing which is criminal is to carry out any permanent works by loan.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Mr. ASQUITH, Fifehire, E.): I never said anything of the kind.

MR. A. J. BALFOUR: Which is the part of my statement to which the right hon. Gentleman objects? If it is the word "criminal" I withdraw that.

MR. ASQUITH: No, Sir, not at all. I do not object to the right hon. Gentleman's trick of rhetoric. The statement

to is that I said it was wrong to put permanent works under any circumstances by loan. I never said anything of the kind.

A. J. BALFOUR : I will say then in more detail what I think he has said. I assert that in the last Parliament when we were in office, and subtly on many occasions, the right hon. Gentleman has made it the boast of the present Government that they were going to abolish the system of loans by the time of the late Government when naval and military works were carried out. Then does it turn on the word "permanent?" It cannot turn on the word "permanent." All these works which the right hon. Gentleman says he hopes to be able to carry out as permanent, from the tramway to the canal and military? It turns on the fact that they are naval and military? Why is naval and military work not to be carried out if other works are carried out by loan? Why is a work which touches the life of the country or the health and life of your soldiers not to be carried out by loan if other works, perhaps less important, are so carried out? There are works more fitted for loans than naval and military works. There is a naval base at Rosyth being put in the hands of the Government at this moment, and the necessity which they have admitted. I refer to the new naval base at Rosyth. That is carried out by common admission an enormous amount of labour. Why has the Prime Minister not said a word about it? Why has he refused to borrow for it? I can imagine no reason except the worst reason of all—namely, that he has too accurate a memory for his speeches on this subject, and that he is unwilling to violate the principle which he has laid down a hundred times in reference to Imperial Government, which he thinks has no application when you are dealing with the war.

Now I come to another point on which I want some further information. One of the things all of us are most afraid of making suggestions is that you may do a thing which is socially and economically wrong—namely, that you turn an experienced trade in which he is qualified

to produce excellent work, into one in which he is unqualified to do such work by physical inaptitude and training. The worst of these relief works is this. There is no security that they are suited to the kind of people out of employment. I ask the Prime Minister whether he can tell us what the kind of person out of employment is to do, and I should like to compare him with the relief works to be started. The right hon. Gentleman has told us about Bradford and that the woollen trade there is bad at the present time, throwing a great many men out of employment.

MR. ASQUITH : I did not mention the woollen trade.

MR. A. J. BALFOUR : The right hon. Gentleman gave us little information, and he must excuse me for making inferences which are natural and legitimate, if inaccurate. He said there was great distress at Bradford, and I assumed it was the staple trade of Bradford. You cannot evidently help any one engaged in the staple trade of Bradford by making a pond at Bradford. What you have to do is to make that demand for labour suit the character of the people who want employment. I was told of a case the other day—which I got on report, but which I believe to be true—as to a tender made in Wolverhampton for railway material for the Indian Government. There was doubt whether the contract would go to Wolverhampton or Germany. Ultimately it went to Germany. Of course, the Indian Government must buy in the cheapest market under our existing system. Under our system I do not think they have any alternative. But I observe. It would have been incomparably cheaper for the ratepayers of Wolverhampton to have paid the difference between the German contract and the Wolverhampton contract and kept these skilled workmen doing work for which they were competent, carrying with it employment for shopkeepers and for the large number of unskilled workmen in the district, and all the collateral occupations which skilled labour carries with it. The Government, from some pedantry I cannot explain, would much rather, apparently, that the Wolverhampton ratepayers paid to make these

skilled workmen dig a pond than enable them to go on with the work for which they were really qualified. Is that defended by the Government, and, if so, on what principle? The truth is that nothing is more obvious to anybody who has listened to the debates in this House than that the old doctrine—half believed in, half disbelieved in now, on the other side—that all you have to think of is the consumer, is wholly abandoned. You are not thinking of the consumer any more. The present Local Government Board induces localities to make buildings in the winter time when everybody knows that winter is not the best time. Where does the consumer come in? The First Lord of the Admiralty does not think of the consumer. Nobody thinks of the consumer when dealing with the unemployed. They only think of him when discussing the fiscal question. I differ from the hon. Gentleman the Member for Preston in many things, but he would be, I think, the first to admit that the logic the Government adopt in this matter is a logic wholly inconsistent with free trade—as, at all events, Preston understands it. What you are doing under this policy is, you are making the taxpayer, who includes the poorest of the poor, and the ratepayer, who includes the poorest of the poor, not buy the best goods in the cheapest market, but the worst goods in the dearest market. I am pointing out, as the hon. Gentleman would see if he had done me the honour of listening to me, that the orthodox, or what used to be the orthodox, doctrine, that the community was best served by never turning your eye on the producer but by keeping your gaze on the consumer and on the consumer only, is blown to atoms by the whole policy of the Government. They have abandoned it, and my complaint is that having abandoned it they have not abandoned it wisely. They have not abandoned it in a way to secure the object we all have at heart. They have not done their best to see that, although you make the consumer, as ratepayer or as taxpayer, pay more for the goods than he would otherwise have to pay, you should at all events so contrive your arrangements that every producer and every productive agent should be able to use the gifts which

God has given him, and the education with which he has been supplied by the State, to the very best possible advantage. They have not done that. They have not even tried to do that, and I do not see myself how they can, after this go about the country explaining to everybody that the only way of really producing prosperity which shall touch every class of the community, and especially the working man, is by seeing that the price of a particular commodity should regulate the whole policy of this country. It does not regulate policy under their own management when they are dealing with one part of the social question, and you cannot dissociate the different parts of the social question by any arbitrary division. The hon. Gentleman below the gangway who interrupted me just now seemed to think that I was going into the fiscal question. I am not going to do so because it is really not relevant to the plan which we have been deliberately told by the Government is merely a passing expedient, a temporary anodyne. I believe myself that fiscal reform has a great bearing upon permanent employment in this country. I do not pretend, and I have never pretended, that it can avoid those oscillations that are due to charges of expectation on the part of the producing community, those alternate waves of sanguineness and discouragement which, following some law which has never been fully explained by economists, passes in excessive waves over the face of the economic world. But while I do not think that any expedient can wholly obliterate those changes and those alterations, with all the ill-consequences that follow from them, I do think, and I believe it can be shown, that fiscal reform does produce a steadiness of employment. I agree with the President of the Local Government Board when he told us that the causes affecting this question are so numerous and so complex that it would be folly to point to any one and say: "That is responsible for the whole." I quite agree. It cannot be so; but I do say that there is one cause for which we are justified in making the Government directly and personally responsible. That is the lack of confidence which all they do and all they say inevitably inspires, perhaps wrongly, but inevitably inspires,

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general community. By common sense, security is the basis of all industrial progress, and I charge the Government with having done all they could to destroy that security by rash acts and by rash sayings. One man will tell you that the proper way of dealing with the question is to go to the richest men in the community. Another gentleman—I am not sure whether it is the same gentleman—talks of closing the hen-roosts when you are in difficulty. You have gentlemen opening the gangway—I see a whole lot of them—who believe that the whole of the question of poverty and unemployment is to be found in robbing the rich.

THE HON. MEMBER: Robbing the rich?

MR. A. J. BALFOUR: I put it from the point of view of the landlords. The landlord and the highwayman deal with the same problem, though they may look at it from somewhat different or, indeed, opposite points of view. The legislation which we spend, week in and week out, all our time at present is open to the same kind of criticism. It is very difficult to say what a Government can do about unemployment; it is easy to say what they ought not to do. The present Government have done all that they could do apart from substantive legislation brought into law, to shake that public confidence which is at the basis of successful commerce. I do not care what system you have, whether a Socialistic or an individualistic system as at present, you must have confidence in it. You have lost that confidence quite unnecessarily, and upon your heads lies some of the greatest responsibility for the state in which the country now is.

MR. ASQUITH: The right hon. Member began and ended the speech he has just delivered—a speech the Government's venture to say is in marked contrast both in tone and in temper with the speech of his colleague who addressed us in the evening—with topics of which, without any disrespect to the Government, I think I may treat with the same freedom which they deserve. ["Oh, oh."]

He made in his peroration two remarkable statements: one of a positive and the other of a negative kind. The positive statement was that fiscal reform would give steadiness of employment. Before we either assent to or deny that proposition, we should like to know that which still remains an inscrutable mystery tightly locked in the breast of the right hon. Gentleman—what does he mean by fiscal reform? He told us next in his peroration that the degree of intensity of unemployment from which we are now suffering in this country was largely due to the want of confidence inspired by the policy of the legislation of the present Government. Sir, does the right hon. Gentleman suppose that that phenomenon of unemployment is peculiar to this country?

MR. BONAR LAW (Camberwell, Dulwich): It is worse.

MR. ASQUITH: Will the hon. Gentleman who says that it is worse take a voyage across the Atlantic? Let him go to the United States. Let him go to the State of New York. Let him go to any of the eastern States, or, for that matter, to the western States.

MR. BONAR LAW: May I interrupt? Will the right hon. Gentleman, then, kindly explain why so many of our citizens are going to America now? [Cries of "And not returning."]

MR. ASQUITH: I do not think that that is a very relevant question. [Cries of "Oh."] My point is this, that the degree of intensity of unemployment is quite as great as, and, indeed, greater than, in this country, and when the right hon. Gentleman talks of it as a striking phenomenon due to the want of confidence inspired by the present Government, does he compare the figures of unemployment now with those of years gone by in our own country?

MR. A. J. BALFOUR: We have no figures.

MR. ASQUITH: Yes, we have the figures of the trade unions. Was Lord Beaconsfield an enemy to capital and confidence? Yet in 1879, when he was

Prime Minister, the figures were much higher than now. Was Lord Salisbury an enemy to capital and confidence? Yet in 1887, when he was Prime Minister, the percentage was much greater. No, Sir, there is no fallacy more childish. I repeat that these changes are due to what the right hon. Gentleman in a better inspired moment described as the oscillation of trade and the general economic conditions of the world rather than to the action of particular Governments. Let me now come back to the beginning of his speech. His first complaint was as to the date for which this debate was fixed. So far as I can gather, he had a double complaint. The first was that we did not adjourn it until a later date, and the next that we have not allowed it to occupy a longer time. These may be reasonable enough suggestions if we were professing to bring forward anything in the nature of a permanent definite solution of the problem of unemployment; but we are doing, as the right hon. Gentleman admits, nothing of the kind. I endeavoured to explain, with, I hope, sufficient clearness for most people to understand, the outlines of our proposals on Wednesday last. They have not been in any degree modified or supplemented by what has been said to-day, and although the right hon. Gentleman makes a covert attack on them, neither he nor his colleagues on that bench have ventured to put on the Paper any Resolution in opposition to them.

MR. A. J. BALFOUR: I understand that this began as a contest between the President of the Local Government Board and hon. Gentlemen below the gangway, and I did not know whether Mr. Speaker would or would not have considered, in such circumstances, that the front Opposition bench should have precedence. In any case, I did not think it right to intervene between them.

MR. ASQUITH: We shall see presently what the right hon. Gentleman does when we come to the division lobbies. Then, again, he complained, and I was rather amused that he should have made it a complaint, that my two hon. friends the mover and seconder of the Resolution, had not shown proper warmth and enthusiasm in their references to the

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Government. I do not know what his standard of temperature in that matter is. He has had a long and very varied experience. Speaking for myself and my colleagues, I wish to assure him that we are perfectly satisfied with the measure of warmth shown by my hon. friend.

I pass from that to the more substantial criticisms which the right hon. Gentleman has offered on our proposals. I will say very briefly with what he has said in regard to the different Government departments. The Post Office is making a very substantial contribution towards the question, because not only is it bringing into employment during this special critical season a large number of people who would otherwise be entirely unemployed, but it is abolishing others. As regards the War Office as regards Reservists who are serving abroad, the Secretary of State has disposed of the matter, but, if necessary, I will do so myself. The action taken by the War Office in this matter is in pursuance of the authority conferred by an Act of Parliament which was passed by the House of Commons, and many years ago the Royal Army, so far as I know, was never opposed either in this House or in the other. As a matter of fact, if the defensive necessities of the right hon. friend pointed to a number of Reservists who, under the strongest and most emergency, be called for a matter of fact, he has numbered 134,000. What harm what peril is he exposing the forces of this country to? 6,000 of these men in the Colonies, instead of a and a dismal procession of the right hon. friend the Local Government. I am sure that the Reservists who are in the country and are lodging in the casual house? As regards I need say no more than that it has been part of the right scheme—a scheme of these industrial people are now exposed—the Militia training, with summer, it should be winter, when the day

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apply ; and that he has this the opportunities to men Reserve the openings of the 1 Corps and the other he has referred. Then we Admiralty. The right hon. ers to what has been done Lord of the Admiralty as a ontribution. Is it regarded ic by the people engaged in ing industry in this country ?

£2,500,000 in shipbuilding let loose six weeks earlier ould have been otherwise nd £200,000 is to be expended n the Clyde and the other re our shipbuilding industry

Whether it hastens or does the delivery of the ships, es do is to meet a temporary and employ a large sum of ney at the right moment for the ose. It is better to bring these a point. Let me compare the ions which the Government is rom central resources—I am not of the local authorities at all— ding-over of the difficulties of this with the contribution which was st year. Last year the whole sum 45,000—that is, the amount of nentary grant actually expended. ear we have a grant of £300,000 ; Office expenditure, £200,000 ; Ad- v expenditure, £273,000 ; and iture by other Departments which airly be put at something like . In other words, we have a total ture on the part of the central he ents and the Executive of y the compared with £145,000. I cher to say to hon. Gentlemen below res to way who may be disposed to ag to the efforts of the Government to is a very substantial addition to possible which has ever been done before. ed ref to what the right hon. Gentle- pelled about our dealings with the e their thorities, the policy of loans, ard of the orth. As regards the policy of Special an assure him that my withers that it is an unwrung. I have never hon. Gentlely unwrung. I have never ed partly no responsible politician in ecies to try has ever said, that under instead instances is it right for the took place Government to borrow money ke place of a permanent character, and for la

whether connected with the Navy, the Army, or the Civil Service. What we did say, and what I repeat, is that under the late Administration the habit of borrowing money for expenses which ought to have been defrayed out of revenue was erected into a system. The result was that large parts of our naval and military expenditure never passed under the review of Parliament, and, being withdrawn from review, the money expended was to a great extent wasted on works temporary in their character, and many of them of dubious or no utility at all, and it was high time to return to the sound system which regulated our finance in the days of Mr. Gladstone, the payment of the current expenditure of the year out of the current revenue. I believe that to be a perfectly sound doctrine and consistent with borrowing for temporary emergencies and with regard to permanent works when such necessity may arise. My right hon. friend pointed out that the burden of the expenditure now authorised to be defrayed out of loans charged on rates and raised by local authorities in so far as they are not works of a permanent and remunerative character falls upon the ratepayers in the immediate future. When the right hon. Gentleman asks me what is the character of the works, when he takes the case of Bradford and Wolverhampton, my answer is very simple. The character of the works, subject, of course, to a power of veto on the part of the Local Government Board, in the case of obvious improvidence, is determined by the request of the local authorities, who know their local circumstances better than we do and whose ratepayers will in the long run have to pay for them. The right hon. Gentleman cited the case of Wolverhampton, as to which, I think, he has been singularly misinformed. The contract was a contract for screws for Indian railways. Belgian firms—not German firms—tendered at a much lower price than the English firms. The Wolverhampton firms were invited to the India Office and offered reconsideration, but they refused to reduce their price to the Belgian level or near it, and they refused to guarantee delivery. Could any responsible Minister, whether

he sat upon that bench or upon this, in these circumstances recommend the acceptance of the English tender? Everybody knows he could not. Any Minister would have been guilty of a breach of trust if he had taken any other course. The right hon. Gentleman takes a further point—namely, the relaxations which my right hon. friend proposes in the old regulations of the Local Government Board in regard to labour of this kind. I could not quite gather whether he objected to it or not, but I certainly understood the right hon. Gentleman who sits beside him was inclined to agree. Certainly in our opinion they are necessary. They are first to allow assistance to be given in proper cases to persons who have received Poor Law relief in the last twelve months. Is that objected to? Secondly, to remove the disqualifications of persons assisted under the Act during each of the last two years. I have been told of cases in which men who have been employed for two or three days in the first year and in the second period for comparatively a short time, and by reason of that these men were disqualified from receiving employment. I do not believe there is a man who would not say that that is a pedantic and wholly unjustifiable interpretation of the regulation. I want to bring this matter to a point, not by going into these comparatively small questions of detail, but by asking the House to consider what are really the propositions which we laid before them and for which the Motion asks approval to-night. The first proposition is this: Whatever may be the causes of it, there is in this country at this moment a prevalence of unemployment, exceptional alike in range of distribution and in intensity of hardship. In view of that state of things—I do not go into figures and I do not enter into controversy with the hon. Member for Merthyr Tydvil—in view of that admitted state of things, the Government think that we need not be, and ought not to be, too minutely analytic and, still less, too austere judicial in measuring the responsibility and in apportioning praise or blame. Which of us, who examines his own antecedents, is so assured in his own mind of his own rectitude as to entitle him to cast the first stone? That is our first proposition. The second proposition is this: That it is

*Mr. Asquith.*

essential in any measures proposed, whether they be temporary measures or measures of long duration, to maintain, and maintain clearly and distinctly, the dividing line between unemployment and pauperism, between those who are for the time being victims of the present industrial dislocation and those who for one reason or another require to be regarded as subjects for treatment, punitive, curative, corrective, or penal, of a more lasting, or possibly even of a permanent, character. I say, further, after laying down these propositions, in the measures actually proposed by the Government, which profess to be no more than tentative and provisional—these distinctions are carefully preserved. Our measures aim at organising and co-ordinating our immediate available resources, central and local, so as to give in the widest area immediate and effective relief with the minimum risk of demoralisation and humiliation, and without prejudice to our ultimate policy. Lastly, I say measures such as these, tentative and provisional as I have declared them to be, are put forward even when they are in the character of palliatives, not as dogmatic, not as final specifics, but subject to such reconsideration in detail and additions and supplements as experience may recommend. Such is the policy to which the Government ask the approval of the House, and I submit it is a policy dictated not only by prudence, but by humanity, and one which if consistently followed will have behind it the support of the great body of public opinion in this country. It will lead, not, indeed, to a final solution of the difficult problem, but to the mitigation, if not the removal, of hardships that press so hardly on well-deserving working people in the community.

MR. ARTHUR HENDERSON (Durham, Barnard Castle): I promise not to detain the House for more than a few minutes, and the very short time I plead for is for the purpose of asking one or two questions which I thought the Prime Minister would probably have referred to in his interesting speech. I may remark in passing that I have sat very closely throughout the whole of the debate to-day in the hope that I should hear some justification for our



under justice, he was more said nothing very violent Government. After a pre- he hoped that this would not a party question, he told us l, the arty to which we ne nothing in the question ent, but he congratulated ast showing an interest in

He then went into a survey omical history of the last rs, and posed as a sort of e philosophic Radical Party. ard a quotation from John

, which the hon. Member suppose supported his con- As a matter of fact, the

Radicals of whom the hon. a distinguished representative ys, until the hon. Gentleman ight, vehemently opposed the the Government. I am not

dispute economics with the hon. n, but I may make this observa- it is on the Act—for good or for sed by the late Government

whole proposals of the present ent are founded. It is on the sed by the late Government l the references in regard to

bureaux and the interchange ur, of which, personally, I have eatest hope on that Act all proposals are founded. I can see g novel in what the present Govern-

re doing, except in certain particu- which I may be allowed to advert. ure the Government themselves will

sert there is anything new, except particulars upon which I will say a , worthy of consideration. What the novelties to which I refer?

e is, in the first place, the Post Office. not remember that we claim any

it for the work done by the Post Office dealing with temporary unemploy- it, and I cannot quite make out what present Government are doing. I

ieve an hon. Gentleman below the ngway said the Post Office proposals re a fraud, but I do not associate yself with that rather vehement state- ent. I will content myself with saying

ey are microscopic and negligible. t seems that in London, where the difficulty is deeply felt, they are going to

add 300 men to the number they used last year, when, we are told, trade was booming

and every labourer could find employ- ment. That was the kind of argument used last year. Yes, I remember it quite well; it was said in connection with tariff reform during discussion; but hon. Gentlemen do not bring their statements into harmony one with the other. It is really extraordinary that the Prime Minister, exhibiting in his shop window all the good things that are to be, or might be used, should give such a prominent place to this insignificant figure of 300 whom the Post Office are going to help.

\*THE POSTMASTER GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): Will the right hon. Gentleman allow me to explain that what the Prime Minister referred to was a change in the policy of the Post Office, by which we departed from the custom of taking on for extra work at Christmas men who are partially employed, and are engaging as far as possible those who are wholly out of other employment? That is what we are carrying out this year, and the system will be extended to the provinces. The Central Unemployed Committee have been informed that we have placed at their disposal 1,500 places; and, in addition to these, many thousands, probably, in London and the provinces will be taken from the unemployed.

MR. A. J. BALFOUR: I do not see how the right hon. Gentleman's interruption—the quite courteous and relevant interruption—agrees with the figures he gave us at Question time. The right hon. Gentleman stated at Question time that he was going to employ 8,000 this year, and that last year he employed 7,700. I believe that by all the rules of arithmetic 7,700 taken from 8,000 leaves 300.

\*MR. SYDNEY BUXTON: The position I want to make clear is that we shall in the coming Christmas, as last Christmas, as far as possible employ wholly unemployed men instead of men who are doing other work.

MR. A. J. BALFOUR: It now becomes clear that in order to employ more unemployed the right hon. Gentleman is

Workmen Act shall be so amended as to make it possible to give the localities powers which they do not possess to-day. Though some localities have powers to set up distress committees, others cannot do so without the permission of the Local Government Board, and that permission has been refused. That has limited the localities which may participate in the grant. I am not going to quarrel with the estimate of the total number of unemployed. We know that it is large. We know that there are only ninety-eight distress committees in the whole country, and the fact that the Local Government Board has refused to assent to others being set up in localities where great distress exists is a complete justification for our refusal to be associated with these proposals which have caused so much disapproval in many parts of the country. The Prime Minister told us on Wednesday, and also to-night, that there was going to be greater elasticity in the administration of this money. We are anxious that this elasticity should be made secure, and we do not think it can be made secure unless a Committee of the Cabinet make themselves responsible to this House for it. We are justified in saying we shall not have the elasticity that is intended except under those conditions. I venture to say that, if we could get here and now from the Prime Minister an assurance upon this matter, there is not a single Member on these benches who would doubt that in the administration of this fund a greater measure of justice would be done. I should like the Prime Minister to turn that over in his mind. In view of the point that I have made with regard to the limited number of distress committees, and the difficulty of getting distress committees set up in small districts where there is acute distress to-day, I should like to ask whether it is even now too late to provide machinery, in the shape of some Amendment to the Act of 1905, which will enable us to go through the coming winter with the knowledge that distress will be relieved by the Government, not only in the large districts but in the small. In this matter numbers should not count for anything so far as our sympathy is concerned. I ask the Government, therefore, if they cannot

respond to this last appeal. I believe if they can they will be able to deal with the whole of the pain and suffering that exists through unemployment.

\*MR. HEMMERDE (Denbighshire, E.) said that in justice to one's constituents one must take an opportunity of discussing this matter of so much importance. He hoped the House would bear with him while he ventured to put before it a few points. They were told that London was the storm centre of unemployment, and great parts of the country had been left absolutely untouched. He failed to see how one could discuss the Amendment of the hon. Member for Merthyr Tydvil without considering the position that the Government had taken up in providing for or failing to provide for the present crisis. He wanted to draw the attention of the House, not to any theories, as the right hon. Gentleman the Leader of the Opposition had done, with reference to land reform which he said was robbing the landlord, but to a few cases which made London the storm centre at the present time. The President of the Local Government Board took as an instance the building trade. He told them that it was at the present time depressed, and that that very largely accounted for a lot of the unemployment. He agreed with him. The right hon. Gentleman also told them that they had overbuilt, and that there had been a transfer of capital from the building to other trades, as well as a change in the methods of building work. In his opinion the building trade suffered not from overbuilding but from under-building, and, as a matter of fact, capital was being transferred to other trades because the Government had failed to carry out measures making it profitable to build on lands. He would take a case in his own constituency—a village occupied by miners; within a mile there were 1,500 miners employed. He had been spending his leisure time during the vacation in studying the difficulties of living in certain parts of his constituency, and he found that in this village no land could be got for building except at a most unreasonable price. The result was that the building trade, owing to the price of land, was at a standstill. His experience of the

*Mr. Arthur Henderson.*

building trade was that owing to the neglect of the Government, in North Wales land was almost unprocurable. He instanced the case of a doctor whom he had met staying at a hotel while he was endeavouring to secure a house. The same doctor was still there a month later, and he told him there was not a house to be had in the town. He asked someone why he did not build a house. His reply was that the cost of land was too high. What did he find next? He found that the workmen who should have been engaged in building houses in that district had gone up to London because there was no work to be done in the district. That was a state of things for which the Government was largely responsible. This matter ought to have been dealt with a long time ago. It was putting too great a strain on some of them to put off this question of valuation. The President of the Local Government Board said there was no one remedy for unemployment. Quite so, but as to the way the present land system caused under-building, overcrowding, and unemployment, let him quote the late Prime Minister—

“The existence of overcrowding is to a large extent due to the same sort of restriction of privileges at home as those which free trade has abolished in connection with our international commerce. In my opinion the only thing that will suffice is the taxation of land values in order to get at the root of this great and vitally essential matter.”

Those were the words that encouraged the supporters of the present Government. They had been led by member of the Government after member of the Government to expect totally different treatment. They were now to get £300,000 with difficulty. Only the other day they were told by the Chancellor of the Exchequer that £10,000,000 were added to the ground values of London alone annually. The fact that money went into one pocket meant that it came out of another. The right hon. Gentleman the Chancellor of the Exchequer made a speech in Newcastle some time ago, in which he said—

“I was in Liverpool some time ago and was given a remarkable example. Just outside Liverpool, but within the corporation area, there was a man who had a piece of land in respect of which he received £19 a year rent, which was as much as it was worth. Liverpool grew, and this land was afterwards let for

building purposes, and the Earl of Sefton received £70,000 premium for letting the land, and is now in receipt of £16,000 a year for land which would be worth £700 were it not for the fact that great hives of industry have grown up. And will he contribute to the expenditure of the corporation one penny? I was given other figures in Liverpool. I was told that the Lords Derby, Sefton, and Salisbury are in receipt of the sum of £345,000 a year for ground rents in the city, and out of that enormous revenue they do not contribute one penny to the public expenditure on the place—[A voice: Swindlers]—and that is the name of them all.”

It was upon speeches like that on which he was returned to that House. He meant that remark, it was not an accident. It was upon speeches like that that he was returned, because he believed them to be absolutely true. No man who had seen the land system in Wales would doubt what was at the bottom of all the troubles there. The Chancellor of the Exchequer knew this because he began his political career in Wales, and he began his there in a sense also. Then the Secretary of State for Foreign Affairs had told them that the party which first mastered the question of the taxation of land values, which first made it its own, and which showed itself capable of dealing with it, was really prepared to deal with it, and did not allow itself to be hampered by vested interests from exercising its intelligence upon it freely, would have a great and solid ground on which to appeal to the country. He agreed with him. He had learned this question at the feet of most of the Members of the present front bench, and he maintained it was monstrous that at the end of three years they should be asking precisely what they asked from the late Prime Minister at the beginning of this Parliament. They were asked now to deal with questions which this Government had not in his humble opinion made the best endeavours in its power to solve. He believed that, in advocating this reform, they were not going to rob landlords. They were just going to prevent landlords from robbing them. It was merely a question which was the traveller and which was the highwayman, and any ordinary man who looked at the question of land values in London and Liverpool would understand which was the traveller and which was the highwayman. He could tell the Government,

as one of their most devoted supporters, that the present attitude of negation adopted upon this great question absolutely paralysed all their efforts in the country. What did they put forward against what was already put forward as the Socialist remedy, the remedy of production, not for profit but for use? The only thing they could put forward with any hope of convincing the country was by giving them greater freedom to produce. Personally, he thought every man had the right to demand work. He remembered that a great democrat once told them that—

“So long as a single one of your fellows languishes in poverty, able and willing to work, through want of work to do, so long you will have no country.”

Those words were true; but, if they would not go the whole way and say every man had the right to demand work, at any rate they had a right to demand that he should not be prevented from working by bad laws. A great writer once told them that there would be no need for laws to provide for distress if there were no laws to produce it. If the Government would not go the whole way of dealing with distress, let them grapple with this question, which was one of the causes of distress. He spoke in no carping spirit about the matter. He really believed that the whole existence of Liberalism in the country was bound up in the proper use the party made of the powers which they now had of dealing with the question. He believed the very existence of the party as an instrument for good depended upon it. That was why he felt bound to protest; and he was confident that he protested in the name of thousands of young men in England, Scotland, and Wales, who wanted to see the question resolutely dealt with. If the Liberal Party could not put forward a more consistent policy based on principles to deal with the matter, they would simply have to give way to a party who could. He was merely trying to get the party to carry out that for which they were returned to Parliament. He begged the Government to give the question of land reform their most earnest consideration to see whether they could not make greater advance during the

*Mr. Hemmerde.*

next than they had made during the last three years.

\***MR. ARNOLD-FORSTER** (Croydon) Too much time has been taken up by speeches by hon. Members whom I suppose, I am constrained to call supporters of the Government, and too little time has been left to any of us on this side of the House to express views which some of us feel very strongly indeed. The speech of the hon. Member for East Denbigh has opened a considerable field for discussion, but I am not desirous of following the hon. Member. I do desire, however, before the debate closes, even under the very unfavourable circumstances in which we are compelled to take part in the discussion, to say something which has not been said, and which ought to be said, before this matter passes out of public controversy. It is an essential part of the Government proposal that a contribution should be made by the British Army to their policy. I want to say a word with regard to that contribution. The Prime Minister and the Secretary of State for War have both said a little, and a very little, about it. I think they have not touched the question to which I shall draw the attention of the House. In the first place, let me say, as has been pointed out by the Leader of the Opposition, that so far as the remedy goes it is like everything they have done with regard to the Army—a pure imposture. Nothing is going to happen. Not a single man is to be added. Not a shilling is going to be voted in addition to whatever has been provided for the Army. The fact is the Secretary of State for War has simply put a red, white and blue ribbon in his hat and is going round touting for recruits in order to make up the contingent which he has not yet been able to secure. I do not think the House realises the real nature of the proposal. The infantry of the Special Reserve is supposed to have an establishment of 55,000 rank and file. The right hon. Gentleman is now asking for 24,000 recruits, and he tells the House that if he gets the whole lot of them they will not exceed the establishment. There is no power, except by Act of Parliament, to exceed the establishment of the Army Estimates; the right hon.



not going to exceed that, and the whole thing so close is concerned, and so employment is concerned, is a lie. I want to say something more serious than that. I do think the House realises what is opening with regard to the workhouse. These boys of seventeen invited to join—

LDANE: Seventy per cent. entry.

NOLD-FORSTER: The advertisement the right hon. Gentleman has issued says they are to be recruited at seventeen. There is no question

I have the advertisement read. They are passing into the Special Reserve, but they are not going in it. They are passing away from the Regular Army. In one of the workhouses, where I was the other day, these boys had remained in the Special Reserve. When I asked a member of the House what they were, "Oh" he said "they are defective, Sir." My main point

I protest, and I ask the House to dissociate themselves with me in this advertisement, against the British Army being recruited in this way at all. The British Army is now told it is to be regarded as an alternative to the casual ward of the workhouse, the depot of the British regiment, to be a substitute for the stone-breaker's yard. At the present time everything is to be done to raise the prestige of the British Army. How are we doing it? In this advertisement we are telling unemployed boys of seventeen that they have only to go to the nearest infantry depot—to the depot of some regiment which is famous in the history of the Army, and to apply there for board and lodging for six months. Since Mr. Gladstone sent the Guards to Malta at the beginning of the Crimean War, with a return ticket, I do not suppose any public statement of this kind was ever made to the Army. The right hon. Gentleman seems to think that these boys, when they go into the substitute for the workhouse, a British regiment,—these boys, remember, who do not want to go into the Army, and whom the Army does not want—may be alarmed lest they should be tarred with the brush

of service in the Army for the rest of their lives. But he says: "Do not get disheartened about that. There is an avenue of escape from it. You are not going to be soldiers. You are only going to relieve the workhouse during six months." The Secretary of State asking these soldiers to enlist in the Army says—

"The question will be asked how long the recruit who takes advantage of these terms, with his board and lodging, candles and food, for six months, will be committed. The recruit in ordinary circumstances is allowed to purchase his discharge at any time for £3."

That means that you are inviting these boys to go into these infantry depots and wait till they have accumulated 60s. to buy themselves out. When they have done that, every day which they have spent in the depot will have been a fraud upon the public. They will have fraudulently deprived the nation of every farthing spent on their keep. Someone said the other day it was a very wise thing to get men from the unemployed for the Army. I do not agree with that. But this is not a case of getting men for the Army. I will tell the House the life history of the soldier. I spent thirty years of my life trying to find out what it is. Three young men go into the Army. At the end of seven years two of them have vanished for one reason or other—have fallen ill or been discharged—and the third, who has campaigned, been disciplined, doctored and fed, has passed into the Army Reserve, a grown man. These are the soldiers who enter the Army. But who are these boys? They never see their regiment, their officers or their non-commissioned officers. They will never do a hand's turn of work for anybody in peace or war, and that is the stuff out of which you think you are going to make the British Army. That is a most disastrous proposition. What is the great trouble that the British Army is now fighting against? Loss of prestige. The whole interest of the country is being diverted to a branch of the Army which is never going to fight anybody at all, and the fighting branch of the Army is suffering from want of prestige and want of interest and attention. I have seen something of the armies with which we may have some day to come in contact. It is a perfect calamity that you should imagine for a moment that you can fight the manhood of a great

nation if you recruit your Army in this manner. This announcement has gone out to every barrack in the United Kingdom. It has gone out further than the United Kingdom that the British Army is to be used as a temporary relief for the workhouse authorities. At the present moment it will pay any benefit society to discharge their members to military depots for six months, and pay 2s. 6d. a week and at the end of that time buy them out. It is a paying operation for them, and that is exactly what the right hon. Gentleman has invited these unemployed boys to do. That is one of the most lamentable propositions that I have ever seen put forward for the supposed benefit of the British Army. I do not believe it was put forward for the benefit of the British Army. I cannot imagine soldiers who bear on their breasts medals which indicate service, and who have earned the respect of the Army, being responsible for a proposition of this kind. Men will die for many things. They will die for love of their country, or because of the pressure of discipline. They will die occasionally under the pressure of want.

MR. WILLIAM REDMOND (Clare, E.): Mr. Speaker, I beg to draw your attention to the fact that I have not heard a single word. May I ask you whether the noble Lord (Earl Winterton), who has been absent the whole evening and has just come in, is entitled to address me as he has done.

\*MR. SPEAKER: The noble Lord called the hon. Member to order, and I think I should have done so myself if I had been in his place. The hon. Member was keeping up a running commentary on the speech which is being made.

MR. WILLIAM REDMOND: With great respect, I did nothing of the kind.

\*MR. SPEAKER: I was not deaf. My ears were open. I heard what went on.

MR. WILLIAM REDMOND: I do not care who accuses me of saying what is not true. I was making no running commentary on the speech, and I absolutely repudiate what you say.

*Mr. Arnold-Forster.*

\*MR. ARNOLD-FORSTER: I am endeavouring to illustrate a point which is very near my heart indeed. A man will die for many things but he will not die for the kind of consideration the right hon. Gentleman is holding out. I have seen a great deal of what is happening on the Continent, and I say that if you are going to fight intelligent armies on the Continent with men recruited in the way the Secretary for War is now trying to recruit the British Army, you are destined to undergo defeat, and you will deserve defeat. This proposal to make the Army into a charitable institution is a scandal to the Army, a danger to the country, and a fraud upon the public. Such a proposal is as repugnant to the officers and men of the Army as it would be to those of the Navy. The Army has been left to the tender mercies of the right hon. Gentleman the Secretary for War, and if it can find no better champion the Army must suffer, as the Navy would suffer, by being subjected to such treatment. I raise my protest against the Reserves of the British Army being utilised for the relief of the unemployed on the ground that the British Army ought never to be made an adjunct to the machinery of the Poor Law. The moment you do that you are injuring a great institution which ought always to be inspired by feelings of honour and patriotism, and not by such sordid considerations as the Secretary of State for War appears to think are sufficient.

MR. CURRAN (Durham, Jarrow) said that in a discussion of this kind each section had some particular panacea to apply to the problem of the unemployed. He agreed to a certain extent with the hon. friend opposite who had advocated the taxation of land values. Those sitting on the Labour benches not went the length of advocating the taxation of land values, but they also claimed that the land of this or any other country belonged by a natural right to the population and the inhabitants of that country. Land being a natural element they thought all sections of the community ought to co-operate in working it for the benefit of the community. That was coming back to first principles, but it did not get them much "forrarder" in the solution of the problem immediately before them. ■

a few words in regard to the were taking up against the in this matter. They had no misunderstood, and if they claimed the indulgence of and, to some extent, mono-major portion of the time, they use they had a deeper interest in them than any other section of

[MINISTERIAL cries of "No, we are sitting on the Labour bill which has been sent to the House of Commons directly to voice working-class opinion. This was not a question of the unemployed problem nor of the time of the House, as a question which must be decided only by the Minister responsible to every section of the House. The Prime Minister disputed the bill put forward by the hon. Member for Hyndley as to the number of unemployed he admitted that they were faced with a very serious problem must be immediately dealt with. These were their chief complaints against the scheme laid before them on Wednesday by the Prime Minister? Their complaint was that the sum granted was hopelessly inadequate to set up the necessary machinery to cope with local distress. Their second complaint was they believed that the money which was going to be paid to the Reserves would be better spent in the direction of enabling local authorities to carry out their full and necessary work instead of using these men for the Army. His point was that prior to the Prime Minister's laying his scheme before the House nothing had been done to speed up local authorities in regard to making arrangements. Letters were being received from districts where distress was now very acute along the north-east coast. In many cases the formation of distress committees had been refused because the population did not come up to the standard required by the Act. The Government ought to speed up local authorities by making it a condition when making grants that the local authority should not go on digging holes and filling them up again, but should carry out

He wished to remind the House that he and his friends came into close contact with the working classes of the country, classes which sometimes met Ministers of the Crown with serious objection. Those who had mixed with the unemployed knew their passions. They knew that these men wanted work but could not get it. They knew it was men of that class whose passions to-day were getting the better of them. He was sure that the Government would agree that the Labour Party had done its utmost to carry out this agitation on the most constitutional lines. They had had to meet abuse in the country for asking the unemployed to wait till the Government displayed its plan, and for saying that they themselves would wait till that plan was displayed to take what action they thought necessary to see that the solution was adequate. All that was not only well known to the Ministry but to many Members of the House, and they thought, therefore, that they had now a right to put forward their demands. They thought that more money might be expended and that an immediate system of speeding up local authorities should be put into operation. He would remind the House that local public bodies were not always willing even to spend money usefully. The reason for that was very simple. They had a very large number of successful retired tradesmen, pawnbrokers, brewers, publicans, clothiers and hosiers, making up the local public bodies, and these people were not anxious even to put themselves to the trouble of spending in a useful manner any money the Government might be willing to give. They believed, therefore, that a speeding up policy must be adopted, while, at the same time, a large extension of the grant should be made. The Labour Members would do their utmost to see that so far as their local influence went in every case this money would be well spent and not wasted on useless projects which were unfruitful to the country, and demoralising to the people. They said that that must be carried out at once. If the House would allow him to say so, he did

not want to raise a penny rate. It was that the most of this country were unemployed. If the Government

could spend money in placing 24,000 men on the Reserve List they could surely extend the grant to £500,000 instead of £300,000. If that were done and if the Government issued some definite instructions to local authorities, in his judgment the opposition which they had been compelled, and which they would be compelled to bring till they got a definite statement from the Government, would be withdrawn. Until they got that definite promise, their opposition to the Government in regard to this question of unemployment would be continued.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said he was not going to argue the question as a whole, but wished merely to make an appeal to the Prime Minister. The able speech of the hon. Member for Barnard Castle had made it so clear that certain portions of the country were not to receive the necessary relief from the provisions that were being made, that he felt it was absolutely necessary that something more should be done. He had been a supporter of the Government for over twenty years and had never voted against it, except on some extreme labour question. He considered the matter before the House was an extreme labour question. He considered it was one of the most important questions they had debated in the House since he had been there. He felt grateful from the bottom of his heart for the provision which had already been made. This Government could take credit to itself for putting forward proposals to meet the necessities of the country which no Government had ever done before, but the one thing necessary now to enable him and his friends to vote for instead of against the Government was for the Prime Minister to get up in his place and say that he would give the guarantee which had been asked for, that a small Committee of the Cabinet should be formed, not to put his right hon. friend the President of the Board of Trade on one side, but to assist him in his work. If the Government would give that assurance he felt it would be giving a very good reason for him and his friends to be thankful for the provision which the Government was making, and to wait and give them an

*Mr. Curran.*

opportunity to deal with the main question when an opportunity arose. He believed it was possible that that might be done; he was hopeful that it would be done, and he asked that the Government should give them an assurance that it would be done. The Labour interest was the main interest in that House, and as a Labour representative of twenty years standing, he appealed to the Prime Minister and his Cabinet to give them security that there should be the elasticity which they wanted.

MR. ASQUITH: I am not in order in speaking again, but after the appeal of the hon. Gentleman the House will perhaps allow me to do so. I can assure my hon. friend that in regard to the future administration of this grant, and of matters connected with it, my right hon. friend the President of the Local Government Board and I myself will be in constant and close communication, and if it is shown to our satisfaction that there is a case for further steps to be taken, and that distress committees which do not at present exist, should be set up, we shall be prepared to make proper provisions.

\*MR. BARNES (Glasgow, Blackfriars) said he had listened to the debate and to the speeches from the front benches, including that just made by the Prime Minister, and he had been profoundly disappointed with the result. He had listened to the speech of the Prime Minister of the previous week, when he put forward the Government proposals and explained the position generally. That speech, so far as the outlook was concerned, seemed to him to be fairly satisfactory, but when they came to the proposals contained in it, it had seemed to him that a good deal might be done by putting their own interpretation on what he said, when he told them that they were not only to have additional money, but the elements of elasticity and liberality in regard to disbursement of the fund. He had listened to all the speeches that day, but so far had heard nothing which would show that there would be any security that the elasticity and liberality which had been referred to would be used. He admitted that the statement just made by the Prime Minister was an



on what had preceded it, still dissatisfied, and would be dissatisfied till the Com- which they had asked was y had had from the President Government Board a speech by his usual vigour and As he had listened to that ad wondered whether there unemployed. It happened, at he had come up from Glas- e previous night, and while he was in contact with the un- The unemployed were a reality e and his colleagues on those re concerned. On the previous ad gone into the figures of the ed dealing with the society he had been chief officer, and the President of the Local ent Board was a member. ound that in the city of Glasgow 4 of their fellow members were ning the unemployed books, and included the districts of Clyde- ad Renfrew they found that nearly killed engineers, out of a total of n the area, were to-day and to- v, and would be for a good many to follow, walking about looking ork but unable to find it. When were told that pauperism had not sed in proportion to the increase e number of unemployed, his mind to that class which came under his lay after day, and he was prepared ay that these statements about perism had no relevance so far as he concerned. He knew these men he engineers, and he knew that they e far removed from pauperism. He ew also that the conditions were such at they lead to pauperism, not for the esent men, but for their children. man walking about day after day, and onth after month, seeking to find work ad not finding it, had to sink down into he meaner streets of the town, where his ildren came into contact with the ildren of a class which was already pauperised, and they became pauperised themselves. That was going on all over the country so far as skilled workmen were concerned, and he said therefore that any figures as to pauperism comparing the numbers with the numbers of last year, or even in the year before, had no relevancy to the increased urgency

and gravity of this question of un-employment now as compared with last year or two years ago. The complaint they had against the Government was, briefly, that the Government was now faced with the situation which they on those benches had foreseen and fore- told two years ago, of which they had constantly reminded the House on many occasions since, and which had now come before them, and there was no properly co-ordinated machinery, local or imperial, which ought to have been ready to deal with that situation now that it had arisen. It was not a question of more money, for £300,000 was now available for the unemployed, instead of the £200,000 which was voted last year and the year before. It was not so much a question of money as of a proper arrangement which they thought ought to be made, not only that the local authorities might get on with that work which was necessary, but that the Government might set them an example by putting their own house in order. They must therefore press the Government for some security that that rigidity and hardness which had characterised the disbursement of the central fund hitherto should be made an end of, and that in future they would have generous dealing. He did not know whether the disbursement of the money in Scotland came under the control of the President of the Local Government Board, and therefore what he was about to say of Scotland could not be taken as being in any sense a personal attack on him. He knew that in Scotland the money that was given for the relief of distress last winter was altogether inadequate for the necessities of the situation, and was afterwards admitted to be so by everyone concerned. It was not until the members of the distress committee of Glasgow resigned their positions, it was not until the unemployed in Glasgow got out of hand and rushed the public buildings — although he said nothing about that, it was regrettable — it was not until later on that the unemployed men demonstrated in St. George's Square, Glasgow, and they made it manifest that for the future at all events the unemployed at Glasgow were not going to be the dumb, inarticulate masses they had been, but that they

had at last found their voice and were going to use it—it was not until these things had taken place that more money was forthcoming for the relief of the unemployed in Glasgow. And even now the money was not characterised by that liberality that they were led to believe last week would characterise the disbursements from the Central Fund, for at the present moment there was friction between the powers that be and the local authority in regard to the payment of men on work connected with the distress committee. It had even been stipulated, and was now a rule, that these poor men, for every hour they were unable to work owing to the weather being bad, though they had travelled fourteen miles to their work, were not to be paid for the time during which they were not actually employed, through no fault of their own. That showed that, although the Local Government Board were driven to take some other more generous action than had characterised the disbursement of the money some six months ago, even now a great deal remained to be done in more generously interpreting the needs of the situation. Having just come up from Glasgow, where he had been in contact with these men, he knew that the engineers and other skilled workmen were out of work in very large, and, he believed, increasing numbers, and although he knew that the outlook was a little better than it was a month or two ago, yet he did not suppose that the numbers of unemployed would be very much lessened this side of Christmas. Therefore, having regard to the increasing urgency of the matter, he joined with the hon. Member who preceded him, as well as others who had spoken from those benches, in asking the Government to give a more satisfactory assurance that liberality, elasticity, and even generosity should attend the disbursements of this fund by a special committee of the Cabinet appointed to deal with the matter. Before sitting down he wished to refer to the observations made by the President of the Local Government Board as to provision against unemployment. In the same speech his hon. friend the Member for Merthyr Tydvil was twitted with having exaggerated the figures of the unemployed. He would in turn, and with equal truth,

*Mr. Barnes.*

twit the President of the Local Government Board with not having put the true position with regard to payments to the skilled men's union. As a matter of fact the payments made by members of that society were not 1s. per week, but nearer 2s. per week. For the past twenty years or so they were 1s. 8d. per week. Something had been done by the skilled men as proved by these figures to insure against unemployment. The Minister for War, speaking about a week ago, stated that in his judgment this of itself was one of the main things that could be done to provide against unemployment. The Minister for War was said to be a philosopher, and he generally found that philosophers were the most perplexed people when dealing with ordinary mundane affairs. The right hon. Gentleman did not seem to be aware of all the money being spent now for insuring against unemployment. But as far as the great mass of the people who were now employed were concerned, they could not insure against unemployment because their wages were only barely sufficient to cover the necessities of life when at work, and therefore they had nothing to lay by for the rainy day about which the Secretary of State for War had spoken. He was not satisfied with the position of things, although he admitted the speech of the Prime Minister, so far as the outlook was concerned, was a very considerable improvement upon the speech previously made from the Treasury Bench. They had now apparently got away from the idea which satisfied some a year or two ago that unemployment was merely a question of want of technical training. Everyone, including the Prime Minister now admitted that men who were technically trained were out of work. He and other members of the party to which he belonged wanted some more satisfactory assurance from the Government—and they were going to keep up the debate all night if necessary—that the £300,000 which would be found to be only half enough, was going to be disbursed in relief, and the best way to get that done was by a Committee of the Cabinet who should as often as possible submit reports of its proceedings to the House.

**MR. WYNDHAM (Dover):** The hon. Member who has just spoken concluded

requesting from the Government further, and some more assurance than has so far been given. hon. Members who sit on the Opposition bench. The few brief remarks made by the Prime Minister, the hon. Member for the City of London, did not satisfy them. The hon. Member said that unless their demand was met, hon. Members below the Government benches are prepared to continue this debate until the House is weary or until such further information is made available. I make an appeal from another hon. Member who sits on the Opposition bench. Not one of them has had an opportunity of speaking during the night. One of my certain knowledge, has spoken a number of times without being called. I know whether that is described as an opportunity for debating this matter. I do not wish to introduce this matter into what is an appeal, but the fact that the first speech made on the Opposition benches at all was by my right hon. friend the Member for Dublin, and was not begun until twenty minutes past seven and ended at eight o'clock. Many important speeches have been made in the House, and I appeal on behalf of the hon. Members who sit behind the Opposition bench. I make that appeal to the Prime Minister in his capacity as Prime Minister, in command of a large majority, and also in his capacity of Member of the House. I know that appeal made to him at the beginning of our debate by the Leader of the Opposition, it was then refused. We thought that refusal unreasonable, but we anticipated from that refusal that the promise to be made by the President of the Local Government Board and by himself would be of such a character as to justify him in limiting this debate to a day from his point of view. We have anticipated—I hope with courtesy—to all that has fallen from the President of the Local Government Board and the Prime Minister.

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expedient and leaving a full liberty of considering larger questions under more favourable circumstances, the President of the Local Government Board reviewed the policy of every Department of State, and there is not a right hon. Gentleman sitting on the front Opposition bench who in his day was responsible, whether for the Army, the Navy, the Post Office, the Local Government Board, or the Board of Trade, who is not entitled, according to ordinary Parliamentary usage, to get up, it may be for only six or seven minutes, to make some remarks upon the views of the Government as to the best way in which those various Departments can co-operate in this great national endeavour. Suggestions have been thrown out which do not on the face of them commend themselves, so far as I gather, to the judgment of right hon. Gentlemen who have themselves been at the head of these great Departments. Indeed, one of my right hon. friends, the Member for Croydon, felt it incumbent upon him to get up, obviously sincerely, to speak on a subject near his heart, and near, I believe, the heart of the majority of our countrymen. No right hon. Member or hon. Member of this House who has cared, as my right hon. friend has cared, for the British Army, could hear the perfunctory, casual suggestion that this plan might be adopted—a plan never explained to the House on any previous occasion—without feeling bound as a man determined to do his duty in this House, to get up and say what he thought right in the matter. But that is only one case. There must be many right hon. Gentlemen, and certainly many of my hon. friends behind me, who are deeply exercised about many aspects of this problem. But if the Prime Minister believes that an important proposal affecting the Reserves of the British Army can be introduced into the House as an aside by the President of the Local Government Board, and, after a brief but concise speech of some fifteen minutes from a man who has devoted many years of his life to the care of the Army,

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House. The Prime Minister has, by leave of the House (and we were only too glad to give him that leave), got up once or twice, certainly once—

MR. ASQUITH: Once.

MR. WYNDHAM: He has, I say, got up once, and then he gave an answer in one sentence to the questions which had been put to him. But when the right hon. Gentleman had a larger opportunity of replying, when without asking leave of the House he was able to speak at any length he chose, when, in fact, he was in possession of the House, he did not think it incumbent upon him to reply to a number of very pertinent questions which were put to him by my right hon. friend the Leader of the Opposition. He gave them the go-by. I am not going to speak on the merits of the unemployed question, but I feel that I am justified in pressing the Motion for the adjournment of the debate, because we have had no answer to the two right hon. Gentlemen who have spoken from the front Opposition bench, and because the hon. Gentlemen who sit behind that bench have had no opportunity of addressing the House at all. I believe that the majority of Members of the House will really agree with me that this is so large a question that it cannot properly be compressed into one debate alone. The hon. Member for Rhondda Valley said it was the most important question of debate that had come before the House for twenty years and yet it is going to be decided in one day without a single Member of the Opposition, except right hon. Gentlemen on the front bench, offering a word. My hon. friends behind me have been chafing under the conditions of this debate and I feel bound to express their feelings in this matter. Technically the Motion for the adjournment of the House is called a dilatory Motion, but if the Motion is carried it will cause no delay to the Government. They can proceed with their little dodges in this Department and that Department, and we will wish them God-speed in any of their efforts to meet the great danger and calamity now oppressing the country. But I unhesitatingly say that the House of Commons on this occasion is entitled to resume its ancient liberties. In

*Mr. Wyndham.*

previous Parliaments it was the right of any Member on any night to move the adjournment of the House if he felt that a grave question of public importance was being dismissed by the Government without sufficient consideration and without giving Members of the House a sufficient opportunity to express their views upon it. That was formerly one of the liberties of the House of Commons, but since this Government came into office it has been largely curtailed, and we meet this autumn under far more stringent conditions of debate than have ever been imposed on the Parliament of any self-governing country. The resolution passed by the Government for the purpose of forcing the Licensing Bill through the House has put it in the power of the Government to prevent any other subject being discussed in the House. This is a dilatory Motion only in a technical sense. It is in reality a Motion to allow the House of Commons the right to speak on a question which has truthfully been said to be the most important subject of debate for twenty years, and that being the case I venture with confidence to press my Motion.

Motion made, and Question proposed: "That the debate be now adjourned."—*(Mr. Wyndham.)*

MR. ASQUITH: I think the right hon. Gentleman who has just spoken is under the impression that he has been making a persuasive appeal to the Government. I should like to say, after a considerable experience of the House, that a more contentious speech I have never listened to, or one more likely to defeat its own professed object. The House is not discussing anything in the nature of the solution of a great political problem, but is discussing merely temporary expedients for meeting a particular emergency, and the policy of the Government has not been challenged either by the front Opposition bench or by those hon. Gentlemen who sit behind it. In view of these facts, of the time the discussion has already taken, and of the impossibility within a reasonable time of affording another day, I am compelled to rest the Motion.

MR. A. J. BALFOUR: I rise to say that I do not think the general feeling



House really supports the Prime Minister. Undoubtedly Members are all anxious to go to bed. I am aware

hon. Members below the gangway that after eleven o'clock is too late hour for the discussion of a subject of interests other parts of the House, in my earlier days it was not thought very late hour. I do not doubt that

Gentlemen below the gangway are anxious to go home, but I would point

that it does not affect the interests of a single member of the unemployed whether the debate is concluded now or two weeks hence. There ought to be another day for the discussion of this problem, and if the House adjourns the debate there will be an opportunity

to ventilate further various important aspects of the question which have not received adequate consideration. I must enter a strong protest, not for the first time, against the manner in which our discussion has been restricted, and I think the House has been badly used by the Government.

\*MR. SUMMERBELL (Sunderland) said he wished to enter his protest against the proposed adjournment. He had attended very all-night sitting since he had been in the House, and he had been in the House for thirty hours to consider questions of much smaller importance than the subject of the present debate. If it suited the Opposition to keep the House there for about thirty hours on a question of smaller importance, this question, which was one of the most important they could discuss, ought to be discussed as long as possible. He had noticed that about eight o'clock that night there were only four hon. Members on the Opposition Benches, yet it was the Opposition leaders who said that those Gentlemen that sat behind them had been very anxious to take part in the debate, and were still anxious to do so. If they were really anxious there was plenty of time to debate the question. There was no time-limit, and they could have until a quarter to three that afternoon. To argue, therefore, that there was no time was to beg the question. There was no more important question for the House to discuss than the unemployed problem. In the town which he had the honour

to represent they had had more severe unemployment than in any other town. There they saw people going sixteen miles day after day to gather coals. He had seen them going, and he had seen them coming back, and he wanted to appeal to the House that morning to try and put itself into the position of the unemployed, who were turning out morning after morning—

\*MR. SPEAKER: The hon. Member is not entitled to discuss the general subject on the Motion for the adjournment.

\*MR. SUMMERBELL said that the House, in his opinion, could not debate a more important question, and he hoped they would reject the Motion for the adjournment by an overwhelming majority, in order that they might discuss the question and get that unanimity which all the Members of the House proclaimed they desired. They were interested in the question, and they desired to see it solved.

EARL WINTERTON (Sussex, Horsham) said that the hon. Gentleman who had just spoken had laboured under some misapprehension, which had led him to take up an inconsistent attitude. He had read some of the speeches made by the hon. Gentleman and some of his friends immediately after the last general election, and he had understood that one of the things they most objected to in the House of Commons was its habit of discussing important matters in the early hours of the morning. Yet the hon. Gentleman was now supporting the Government in their determination to force the House to discuss in the small hours of the morning what by their own admission was one of the most important questions the House had discussed for twenty years. The hon. Member had referred quite irrelevantly to some former occasion on which he said that the House had been kept up on a much less important matter. He was sure that the hon. Member would remember, or if he did not remember himself, some of his friends would do so, that on every all-night sitting they on the Opposition side of the House had endeavoured

to get the debate adjourned, in order that it might take place at a more reasonable time. He had risen to support his right hon. friend who had moved the adjournment of this debate. Despite the laughter which had come from below the gangway when his right hon. friend had suggested that some of them were as interested in the unemployed question as those in other parts of the House, such was, of course, the case, and he would remind hon. Gentlemen who had laughed that it was not those who talked the loudest who did the most. It was possible to take an interest in the unemployed question and to feel very strongly on that question as they did, without constantly referring to the fact that they were direct representatives of democracy. He appealed to the Prime Minister to assent to the Motion which had been made by his right hon. friend. The hon. Member for Yarmouth and others on that side of the House had from the beginning of the debate been anxious to take part in it, and it was not fair that they should be asked to discuss the question at that time of the morning, and that those of them who desired to support the hon. Member for Merthyr Tydvil in the lobby should be compelled to do so at so late an hour. The Prime Minister, if he insisted on the course which he had laid down, would not gain but would rather lose support in the country and among his own followers. The people of this country knew perfectly well that if the Government intended to deal with this question in a proper manner they would not endeavour to force it through the House in the early hours of the morning.

\*MR. JOWETT (Bradford, W.) said that in reply to the noble Lord he might say that both he and his colleagues on those benches were still opposed to discussing important questions at a late hour such as that when it could be avoided, but so far as he could gather they were unfortunately so situated that they could not really help it. They had had no promise from the Prime Minister that another day would be given if the debate were adjourned. He wished to ask the Prime Minister if he would give them another

day. Unless he would do so he did not think they could be expected to allow the discussion to be adjourned. Some of them were very concerned to have the question of unemployment discussed fully and voted on. He found it very difficult to keep within the Rules of the House on the Motion for the adjournment. They were not all old hands like some hon. Members above the gangway. He would like to give the reason why in his opinion the debate should be closed if the Government would not give them another day. A week or two ago he was waited on by the parents of a youth who were very greatly concerned about their son, who had enlisted in the Special Reserve in accordance with the Government's scheme for enlisting the unemployed. He was aged seventeen years and a few months, and if the debate were adjourned more cases of that kind would be heard of. It was a most unfortunate thing. The parents of this youth were decent, hard-working people, who did not feel that their child was a suitable child to be taken into the Special Reserve.

\*MR. SPEAKER: The hon. Member is not seriously bringing forward that as an argument against the adjournment.

\*MR. JOWETT said he was serious to the extent that he honestly held that things would be allowed if the adjournment took place as the Prime Minister wished it to be—

AN HON. MEMBER: No, no.

\*MR. JOWETT said if they were not allowed to deal with such cases as he had described it would of course affect the question of the adjournment. He hoped the Prime Minister in answer to the very earnest appeals which had been made would give another day for so important a subject. The matter had not been properly discussed, and all manner of important issues had been raised by the Conservative Party and by the Labour Party as well as by Liberal Members below the gangway, any one of which would take a whole sitting to debate properly. Under the circumstances he thought the Prime Minister could not deny them another day.

*Earl Winterton.*

the House really supports the Prime Minister. Undoubtedly Members are all very anxious to go to bed. I am aware that hon. Members below the gangway think that after eleven o'clock is too late an hour for the discussion of a subject that interests other parts of the House, but in my earlier days it was not thought a very late hour. I do not doubt that hon. Gentlemen below the gangway are anxious to go home, but I would point out that it does not affect the interests of a single member of the unemployed whether the debate is concluded now or three weeks hence. There ought to be another day for the discussion of this problem, and if the House adjourns the debate there will be an opportunity to ventilate further various important aspects of the question which have not received adequate consideration. I must enter a strong protest, not for the first time, against the manner in which our discussion has been restricted, and I think the House has been badly used by the Government.

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\*MR. SPEAKER: The hon. Member is not entitled to discuss the general subject on the Motion for the adjournment.

\*MR. SUMMERBELL said that the House, in his opinion, could not debate a more important question, and he hoped they would reject the Motion for the adjournment by an overwhelming majority, in order that they might discuss the question and get that unanimity which all the Members of the House proclaimed they desired. They were interested in the question, and they desired to see it solved.

EARL WINTERTON (Sussex, Horsham) said that the hon. Gentleman who had just spoken had laboured under some misapprehension, which had led him to take up an inconsistent attitude. He had read some of the speeches made by the hon. Gentleman and some of his friends immediately after the last general election, and he had understood that one of the things they most objected to in the House of Commons was its habit of discussing important matters in the early hours of the morning. Yet the hon. Gentleman was now supporting the Government in their determination to force the House to discuss in the small hours of the morning what by their own admission was one of the most important questions the House had discussed for twenty years. The hon. Member had referred quite irrelevantly to some former occasion on which he said that the House had been kept up on a much less important matter. He was sure that the hon. Member would remember, or if he did not remember himself, some of his friends would do so, that on every all-night sitting they on the Opposition side of the House had endeavoured

Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)  
 Collins, Sir Wm. J. (S. Pancras, W  
 Compton-Rickett, Sir J.  
 Cooper, G. J.  
 Corbett, C. H. (Sussex, E. Grinst'd  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Craig, Herbert J. (Tynemouth)  
 Crooks, William  
 Crossley, William J.  
 Curran, Peter Francis  
 Dalmeny, Lord  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, Timothy (Fulham)  
 Dickson-Poynder, Sir John P.  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, C. (Barrow-in-Furness)  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall  
 Edwards, Sir Francis (Radnor)  
 Erskine, David C.  
 Essex, R. W.  
 Esslemont, George Birnie  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles  
 Ferens, T. R.  
 Field, William  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gill, A. H.  
 Gladstone, Rt. Hn. Herbert John  
 Glover, Thomas  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gurdon, Rt. Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardie, J. Keir (Merthyr Tydvil)  
 Hardy, George A. (Suffolk)  
 Harmsworth, Cecil B. (Worc'r)  
 Harmsworth, R. L. (Caithn'ss-sh  
 Haslam, James (Derbyshire)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Helme, Norval Watson  
 Henderson, Arthur (Durham)  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Herbert, T. Arnold (Wycombe)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Hodge, John  
 Holland, Sir William Henry  
 Holt, Richard Durning  
 Hope, W. L. (Somerst, N  
 Horniman, Emslie John

Horridge, Thomas Gardner  
 Howard, Hon. Geoffrey  
 Hudson, Walter  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, John (Gateshead)  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, William (Carnarvonshire)  
 Jowett, F. W.  
 Joyce, Michael  
 Kearley, Sir Hudson E.  
 Kelley, George D.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Lea, Hugh Cecil (St. Pancras, E.  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Luttrell, Hugh Fownes  
 Lynch, H. B.  
 Macdonald, J. R. (Leicester)  
 Macdonald, J. M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 Macpherson, J. T.  
 MacVeagh, Jeremiah (Down, S.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Maddison, Frederick  
 Mallet, Charles E.  
 Manfield, Harry (Northants)  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Mickletham, Nathaniel  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r  
 Nolan, Joseph  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Brien, Patrick (Kilkenny)  
 O'Donnell, C. J. (Walworth)  
 O'Grady, J.  
 O'Malley, William  
 Parker, James (Halifax)  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pearson, W. H. M. (Suffolk, Eye)

Philipps, Owen C. (Pembroke)  
 Pickersgill, Edward Hare  
 Pollard, Dr.  
 Price, Sir Robert J. (Norfolk, E.)  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rea, Walter Russell (Scarboro'  
 Rees, J. D.  
 Rendall, Athelstan  
 Richards, T. F. (Wolverh'mpt'n)  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, G. H. (Norwich)  
 Roberts, Sir John H. (Denbighs.)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Rose, Charles Day  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Rutherford, V. H. (Brentford)  
 Samuel, Herbert L. (Cleveland)  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Scott, A. H. (Ashton-under-Lyne)  
 Seaverns, J. H.  
 Seddon, J.  
 Seely, Colonel  
 Shackleton, David James  
 Shaw, Rt. Hon. T. (Hawick B.)  
 Sherwell, Arthur James  
 Silcock, Thomas Ball  
 Simon, John Allsebrook  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Snowden, P.  
 Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Hn. A. Luyph (Chesh.)  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Strauss, E. A. (Abingdon)  
 Stuart, James (Sunderland)  
 Summerbell, T.  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, Sir Edward (Salisbury)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thorne, William (West Ham)  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walsh, Stephen  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, W. Dudley (Southampton)  
 Wardle, George J.  
 Waring, Walter  
 Warner, Thomas Courtenay T  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)



How, D. S.  
 Wood, Josiah C.  
 bread, Howard  
 te, Sir George (Norfolk)  
 te, J. D. (Dumbartonshire)  
 te, Luke (York, E.R.)  
 tehead, Rowland  
 tley, John Henry (Halifax)

Whittaker, Rt.Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarthen)  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Henry J. (York, W.R.)  
 Wilson, J.W. (Worcestersh. N.)

Wilson, P. W. (St. Pancras, S.)  
 Wilson, W. T. (Westhoughton)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr.  
 Joseph Pease and Master of  
 Elibank.

Question again proposed, "That the  
 rds proposed to be left out stand part  
 the Question."

Sir JOSEPH LEESE rose in his place,  
 d claimed to move, "That the Questio:  
 now put."

Question put, "That the Question be  
 now put."

The House divided :—Ayes, 227; Noes,  
 110. (Division List No. 291.)

## AYES.

land, Francis Dyke  
 gar-Robartes, Hon. T. C. R.  
 saworth, John Stirling  
 den, Percy  
 len, A. Acland (Christchurch)  
 len, Charles P. (Stroud)  
 rmastrong, W. C. Heaton  
 squith, Rt.Hn. Herbert Henry  
 stbury, John Meir  
 taker, Sir John (Portsmouth)  
 talfour, Robert (Lanark)  
 taring, Godfrey (Isle of Wight)  
 tarker, John  
 tarrow, Percy (Bedford)  
 Barnard, E. B.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Beaumont, Hon. Hubert  
 Bell, Richard  
 Bellairs, Carlyon  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.  
 Bertram, Julius  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brocklehurst, W. B.  
 Brodie, H. C.  
 Brooke, Stopford  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burns, Rt. Hon. John  
 Burt, Rt. Hon. Thomas  
 Buxton, Rt. Hn. Sydney Charles  
 Carr-Gomm, H. W.  
 Causton, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Chance, Frederick  
 Churchill, Rt. Ho  
 Clough, William  
 Cobbold, Felix Tt  
 Collins, Stephen (Compton-Rickett)  
 Corbett, C.H. (Sussex)  
 Cornwall, Sir Edv  
 Cotton, Sir H. J.  
 Cowan, W. H.

Craig, Herbert J. (Tynemouth)  
 Crossley, William J.  
 Dalziel, James Henry  
 Davies, Ellis William (Eifion)  
 Davies, Timothy (Fulham)  
 Dickson-Poynder, Sir John P.  
 Dobson, Thomas W.  
 Duckworth, James  
 Duncan, J. H. (York, Otley)  
 Dunn, A. Edward (Camborne)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Sir Francis (Radnor)  
 Erskine, David C.  
 Essex, R. W.  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Findlay, Alexander  
 Freeman-Thomas, Freeman  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Gladstone, Rt. Hn. Herbert John  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Greenwood, Hamar (York)  
 Grey, Rt. Hon. Sir Edward  
 Guest, Hon. Ivor Churchill  
 Gurdon, Rt.Hn. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hn. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Hardy, George A. (Suffolk)  
 Harmsworth, R. L. (Caithn'ss-sh)  
 Haslam, Lewis (Monmouth)  
 Helme, Norval Watson  
 Henderson, J.M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)

Idris, T. H. W.  
 Isaacs, Rufus Daniel  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, W. (Nuneaton)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 King, Alfred John (Knutsford)  
 Laidlaw, Robert  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Luttrell, Hugh Fownes  
 Lynch, H. B.  
 Macdonald, J.M. (Falkirk B'ghs)  
 Mackarness, Frederic C.  
 Maclean, Donald  
 Macnamara, Dr. Thomas J.  
 M'Crae, Sir George  
 M'Kenna, Rt. Hon. Reginald  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Mallet, Charles E.  
 Mansfield, Harry (Northants)  
 Mason, A. E. W. (Coventry)  
 Massie, J.  
 Masterman, C. F. G.  
 Menzies, Walter  
 Micklem, Nathaniel  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morgan, J. Lloyd (Carmarthen)  
 Morrell, Philip  
 Morse, L. L.

Philipps, Owen C. (Pembroke)  
Pollard, Dr.  
Price, Sir Robert J. (Norfolk, E.)  
Priestley, Arthur (Grantham)  
Priestley, W. E. B. (Bradford, E.)  
Radford, G. H.  
Rainy, A. Rolland  
Raphael, Herbert H.  
Rea, Walter Russell (Scarboro')  
Rees, J. D.  
Rendall, Athelstan  
Ridsdale, E. A.  
Roberts, Charles H. (Lincoln)  
Roberts, Sir John H. (Denbighs.)  
Robinson, S.  
Roch, Walter F. (Pembroke)  
Roe, Sir Thomas  
Rogers, F. E. Newman  
Rose, Charles Day  
Runciman, Rt. Hon. Walter  
Russell, Rt. Hon. T. W.  
Rutherford, V. H. (Brentford)  
Samuel, S. M. (Whitechapel)  
Scarisbrick, T. T. L.  
Scott, A. H. (Ashton-under-Lyne)

Seaverns, J. H.  
Seely, Colonel  
Shaw, Rt. Hon. T. (Hawick B.)  
Sherwell, Arthur James  
Silcock, Thomas Ball  
Simon, John Allsebrook  
Sinclair, Rt. Hon. John  
Smeaton, Donald Mackenzie  
Soames, Arthur Wellesley  
Soares, Ernest J.  
Spicer, Sir Albert  
Stanger, H. Y.  
Stanley, Hn. A. Lyulph (Chesh.)  
Stewart, Halley (Greenock)  
Stewart-Smith, D. (Kendal)  
Strachey, Sir Edward  
Straus, B. S. (Mile End)  
Strauss, E. A. (Abingdon)  
Stuart, James (Sunderland)  
Taylor, Theodore C. (Radcliffe)  
Tennant, H. J. (Berwickshire)  
Thomas, Sir A. (Glamorgan, E.)  
Toulmin, George  
Trevelyan, Charles Philips  
Verney, F. W.

Vivian, Henry  
Walters, John Tudor  
Walton, Joseph  
Waring, Walter  
Warner, Thomas Courtenay T.  
Wason, Rt. Hn. E. (Clackmannan)  
Wason, John Cathcart (Orkney)  
Waterlow, D. S.  
Whitbread, Howard  
White, Sir George (Norfolk)  
White, Luke (York, E. R.)  
Whitley, John Henry (Halifax)  
Whittaker, Rt. Hn. Sir Thomas P.  
Wiles, Thomas  
Williams, Llewelyn (Carmarthen)  
Williamson, A.  
Wills, Arthur Walters  
Wilson, Henry J. (York, W. R.)  
Wilson, P. W. (St. Pancras, S.)  
Winfrey, R.  
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr.  
Joseph Pease and Master of  
Elibank.

## NOES

Arkwright, John Stanhope  
Ashley, W. W.  
Balcarres, Lord  
Baldwin, Stanley  
Balfour, Rt. Hn. A. J. (City Lond.)  
Banner, John S. Harmood-  
Barnes, G. N.  
Barrie, H. T. (Londonderry, N.)  
Beckett, Hon. Gervase  
Barrie, H. T. (Londonderry, N.)  
Beckett, Hon. Gervase  
Bethell, Sir J. H. (Essex, Romf'd)  
Bignold, Sir Arthur  
Butcher, Samuel Henry  
Carlile, E. Hildred  
Cecil, Evelyn (Aston Manor)  
Cecil, Lord John P. Joicey-  
Chamberlain, Rt. Hn. J. A. (Worc)  
Channing, Sir Francis Allston  
Clark, George Smith  
Cleland, J. W.  
Clive, Percy Archer  
Clynes, J. R.  
Coates, Major E. F. (Lewisham)  
Cochrane, Hon. Thos. H. A. E.  
Collings, Rt. Hn. J. (Birmingham)  
Courthope, G. Loyd  
Craig, Captain James (Down, E.)  
Craik, Sir Henry  
Crooks, William  
Curran, Peter Francis  
Douglas, Rt. Hon. A. Akers-  
Du Cros, Arthur Philip  
Duncan, C. (Barrow-in-Furness)  
Duncan, Robert (Lanark, Govan)  
Fell, Arthur  
Field, William  
Forster, Henry William

Gibbs, G. A. (Bristol, West)  
Glover, Thomas  
Goulding, Edward Alfred  
Gretton, John  
Guinness, Hn. R. (Haggerston)  
Guinness, W. E. (Bury S. Edm.)  
Hamilton, Marquess of  
Hardie, J. Kier (Merthyr Tydvil)  
Harris, Frederick Leverton  
Harrison-Broadley, H. B.  
Hay, Hon. Claude George  
Hazel, Dr. A. E.  
Henderson, Arthur (Durham)  
Hill, Sir Clement  
Hills, J. W.  
Hodge, John  
Hudson, Walter  
Hunt, Rowland  
Johnson, John (Gateshead)  
Jones, Sir D. Brynmor (Swansea)  
Jowett, F. W.  
Joyce, Michael  
Kerry, Earl of  
Keswick, William  
Lamb, Ernest H. (Rochester)  
Lane-Fox, G. R.  
Lea, Hugh Cecil (St. Pancras, E.)  
Long, Rt. Hn. Walter (Dublin, S.)  
MacCaw, William J. MacGeagh  
Macdonald, J. R. (Leicester)  
Macpherson, J. T.  
MacVeagh, Jeremiah (Down, S.)  
Marks, H. H. (Kent)  
Mildmay, Francis Bingham  
Morpeth, Viscount  
Morrison-Bell, Captain  
Nicholson, Wm. G. (Petersfield)  
Nolan, Joseph

O'Brien, Patrick (Kilkenny)  
Oddy, John James  
O'Grady, J.  
O'Malley, William  
Parker, James (Halifax)  
Pease, Herbert Pike (Darlington)  
Rawlinson, John Frederick Peel  
Redmond, William (Clare)  
Remnant, James Farquharson  
Renton, Leslie  
Richards, T. F. (Wolverhampton)  
Richardson, A.  
Ronaldshay, Earl of  
Rutherford, W. W. (Liverpool)  
Scott, Sir S. (Marylebone, W.)  
Seddon, J.  
Sloan, Thomas Henry  
Smith, Abel H. (Hertford, East)  
Snowden, P.  
Stanier, Beville  
Staveley-Hill, Henry (Staff sh.)  
Summerbell, T.  
Talbot, Lord E. (Chichester)  
Thorne, G. R. (Wolverhampton)  
Thorne, William (West Ham)  
Thornton, Percy M.  
Walsh, Stephen  
Wardle, George J.  
Wedgwood, Josiah C.  
White, J. D. (Dumbartonshire)  
Williams, J. (Glamorgan)  
Winterton, Earl of  
Wortley, Rt. Hn. C. B. Stuart-  
Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Sir  
Alexander Acland-Hood and  
Viscount Valentia.

Question put accordingly, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes, 236 ; Noes, 68. (Division List No. 292.)

### AYES.

Acland, Francis Dyke  
Adkins, W. Ryland D.  
Agar-Robartes, Hon. T. C. R.  
Ainsworth, John Stirling  
Alden, Percy  
Allen, A. Acland (Christchurch)  
Allen, Charles P. (Stroud)  
Armstrong, W. C. Heaton  
Asquith, Rt. Hon. Herbert Henry  
Astbury, John Meir  
Baker, Sir John (Portsmouth)  
Balfour, Robert (Lanark)  
Baring, Godfrey (Isle of Wight)  
Barker, John  
Barlow, Percy (Bedford)  
Barnard, E. B.  
Barran, Rowland Hirst  
Barry, Redmond J. (Tyrone, N.)  
Beale, W. P.  
Beauchamp, E.  
Bell, Richard  
Bellairs, Carlyon  
Benn, W. (T'w'r Hamlets, S. Geo.)  
Bennett, E. N.  
Berridge, T. H. D.  
Bertram, Julius  
Birrell, Rt. Hon. Augustine  
Black, Arthur W.  
Branch, James  
Brigg, John  
Bright, J. A.  
Brocklehurst, W. B.  
Brodie, H. C.  
Brooks, Stopford  
Bryce, J. Annan  
Buchanan, Thomas Ryburn  
Burns, Rt. Hon. John  
Burt, Rt. Hon. Thomas  
Buxton, Rt. Hon. Sydney Charles  
Carr-Gomm, H. W.  
Causton, Rt. Hon. Richard Knight  
Cawley, Sir Frederick  
Chance, Frederick William  
Channing, Sir Francis Allston  
Cheetham, John Frederick  
Churchill, Rt. Hon. Winston S.  
Clough, William  
Cobbold, Felix Thornley  
Collins, Stephen (Lambeth)  
Collins, Sir Wm. J. (S. Pancras, W.)  
Compton-Rickett, Sir J.  
Corbett, C. H. (Sussex, E. Grinst'd  
Cornwall, Sir Edwin A.  
Cotton, Sir H. J. S.  
Cowan, W. H.  
Craig, Herbert J. (Tynemouth)  
Crossley, William J.  
Dalziel, James Henry  
Davies, Timothy (Fulham)  
Dobson, Thomas W.  
Duckworth, James  
Duncan, J. H. (York, Otley)  
Dunn, A. Edward (Camborne)  
Dunne, Major E. Martin (Walsall  
Edwards, Sir Francis (Radnor)

Erskine, David C.  
Essex, R. W.  
Evans, Sir Samuel T.  
Everett, R. Lacey  
Fenwick, Charles  
Ferens, T. R.  
Fiennes, Hon. Eustace  
Findlay, Alexander  
Freeman-Thomas, Freeman  
Fuller, John Michael F.  
Fullerton, Hugh  
Gladstone, Rt. Hon. Herbert John  
Goddard, Sir Daniel Ford  
Gooch, George Peabody (Bath)  
Grant, Corrie  
Greenwood, G. (Peterborough)  
Greenwood, Hamar (York)  
Grey, Rt. Hon. Sir Edward  
Guest, Hon. Ivor Churchill  
Gurdon, Rt. Hon. Sir W. Brampton  
Haldane, Rt. Hon. Richard B.  
Harcourt, Rt. Hon. L. (Rossendale)  
Harcourt, Robert V. (Montrose)  
Hardy, George A. (Suffolk)  
Harmsworth, Cecil B. (Worc'r)  
Harmsworth, R. L. (Caithn'ss-sh  
Haslam, Lewis (Monmouth)  
Helme, Norval Waltson  
Henderson, J. M. (Aberdeen, W.)  
Henry, Charles S.  
Herbert, Col. Sir Ivor (Mon., S.)  
Herbert, T. Arnold (Wycombe)  
Higham, John Sharp  
Hobhouse, Charles E. H.  
Holland, Sir William Henry  
Holt, Richard Durning  
Hope, W. Bateman (Somerset, N  
Horniman, Emslie John  
Horridge, Thomas Gardner  
Howard, Hon. Geoffrey  
Hyde, Clarendon  
Idris, T. H. W.  
Isaacs, Rufus Daniel  
Jacoby, Sir James Alfred  
Jardine, Sir J.  
Johnson, W. (Nuneaton)  
Jones, Sir D. Brynmor (Swansea)  
Jones, William (Carnarvonshire)  
Kearley, Sir Hudson E.  
King, Alfred John (Knutsford)  
Laidlaw, Robert  
Lambert, George  
Layland-Barratt, Sir Francis  
Leese, Sir Joseph F. (Accrington)  
Lehmann, R. C.  
Lever, A. Levy (Essex, Harwich)  
Levy, Sir Maurice  
Lewis, John Herbert  
Lloyd-George, Rt. Hon. David  
Lupton, Arnold  
Luttrell, Hugh Fownes  
Lynch, H. B.  
Macdonald, J. M. (Falkirk B'ghs)  
Mackarness, Frederic C.  
Maclean, Donald

Macnamara, Dr. Thomas J.  
M'Crae, Sir George  
M'Kenna, Rt. Hon. Reginald  
M'Laren, H. D. (Stafford, W.)  
M'Micking, Major G.  
Maddison, Frederick  
Mallet, Charles E.  
Manfield, Harry (Northants)  
Mason, A. E. W. (Coventry)  
Massie, J.  
Masterman, C. F. G.  
Menzies, Walter  
Micklem, Nathaniel  
Mildmay, Francis Bingham  
Mond, A.  
Montagu, Hon. E. S.  
Montgomery, H. G.  
Morgan, G. Hay (Cornwall)  
Morgan, J. Lloyd (Carmarthen)  
Morrell, Philip  
Morse, L. L.  
Morton, Alpheus Cleophas  
Newnes, F. (Notts, Bassetlaw)  
Nicholson, Charles N. (Doncast'r  
Norman, Sir Henry  
Norton, Capt. Cecil William  
Nuttall, Harry  
O'Donnell, C. J. (Walworth)  
Paulton, James Mellor  
Pearce, Robert (Staffs, Leek)  
Pearson, W. H. M. (Suffolk, Eye)  
Philipps, Owen C. (Pembroke)  
Pollard, Dr.  
Price, Sir Robert J. (Norfolk, E.  
Priestley, Arthur (Grantham)  
Priestley, W. E. B. (Bradford, E.)  
Radford, G. H.  
Rainy, A. Rolland  
Raphael, Herbert H.  
Rea, Walter Russell (Scarboro'  
Rees, J. D.  
Rendall, Athelstan  
Richardson, A.  
Ridsdale, E. A.  
Roberts, Charles H. (Lincoln)  
Roberts, Sir John H. (Denbighs.  
Robinson, S.  
Roch, Walter F. (Pembroke)  
Roe, Sir Thomas  
Rogers, F. E. Newman  
Rose, Charles Day  
Runciman, Rt. Hon. Walter  
Russell, Rt. Hon. T. W.  
Rutherford, V. H. (Brentford)  
Samuel, S. M. (Whitechapel)  
Scarisbrick, T. T. L.  
Scott, A. H. (Ashton under Lyne)  
Seaverns, J. H.  
Seely, Colonel  
Shaw, Rt. Hon. T. (Hawick, B.  
Sherwell, Arthur James  
Silcock, Thomas Ball  
Simon, John Allsebrook  
Sinclair, Rt. Hon. John  
Smeaton, Donald Mackenzie

Soames, Arthur Wellesley  
 Soares, Ernest J.  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Strauss, E. A. (Abingdon)  
 Stuart, James (Sunderland)  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)

Thornton, Percy M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Vivian, Henry  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, W. Dudley (Southampton)  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hn. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)

White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Whittaker, Rt. Hn. Sir Thomas P.  
 Wiles, Thomas  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Henry J. (York, W. R.)  
 Wilson, J. W. (Worcestershire)  
 Wilson, P. W. (St. Pancras, S.)  
 Winfrey, R.  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—  
 Mr. Joseph Pease and Master  
 of Elibank.

## NOES.

Arkwright, John Stanhope  
 Ashley, W. W.  
 Banner, John S. Harmood-  
 Barnes, G. N.  
 Beaumont, Hon. Hubert  
 Bignold, Sir Arthur  
 Bowerman, C. W.  
 Bridgeman, W. Clive  
 Bull, Sir William James  
 Cleland, J. W.  
 Clynes, J. R.  
 Coates, Major E. F. (Lewisham)  
 Collings, Rt. Hn. J. (Birm'gham)  
 Cooper, G. J.  
 Courthope, G. Loyd  
 Crooks, William  
 Curran, Peter Francis  
 Davies, Ellis William (Eifion)  
 Du Cros, Arthur Philip  
 Duncan, Robert (Lanark, Govan)  
 Field, William  
 Gill, A. H.  
 Glover, Thomas  
 Goulding, Edward Alfred

Guinness, Hon. R. (Haggerston)  
 Hall, Frederick  
 Hardie, J. Keir (Merthyr Tydvil)  
 Harrison-Broadley, H. B.  
 Hay, Hon. Claude George  
 Henderson, Arthur (Durham)  
 Hills, J. W.  
 Hodge, John  
 Hudson, Walter  
 Hunt, Rowland  
 Johnson, John (Gateshead)  
 Jowett, F. W.  
 Joyce, Michael  
 Kelley, George D.  
 Lamb, Ernest H. (Rochester)  
 Lea, Hugh Cecil (St. Pancras, E.)  
 Macdonald, J. R. (Leicester)  
 Macpherson, J. T.  
 MacVeagh, Jeremiah (Down, S.)  
 Marks, H. H. (Kent)  
 Nicholls, George  
 Nolan, Joseph  
 O'Brien, Patrick (Kilkenny)  
 O'Grady, J.

O'Malley, William  
 Parker, James (Halifax)  
 Pickersgill, Edward Harv  
 Redmond, William (Clare)  
 Remnant, James Farquharson  
 Richards, T. F. (Wolverh'mpt'n)  
 Rutherford, W. W. (Liverpool)  
 Seddon, J.  
 Shackleton, David James  
 Sloan, Thomas Henry  
 Snowden, P.  
 Summerbell, T.  
 Thorne, William (West Ham)  
 Walsh, Stephen  
 Wardle, George J.  
 Wedgwood, Josiah C.  
 Williams, J. (Glamorgan)  
 Williams, Llewelyn (Carmarth'n)  
 Wilson, W. T. (Westhoughton)  
 Winterton, Earl

TELLERS FOR THE NOES—  
 Mr. George Roberts and Mr.  
 Charles Duncan.

Sir JOSEPH LEESE claimed, "That the | Main Question put accordingly.  
 Main Question be now put."

The House divided :—Ayes, 196 ; Noes, 35. (Division List No. 293.)

## AYES.

Ainsworth, John Stirling  
 Alden, Percy  
 Allen, A. Acland (Christchurch)  
 Allen, Charles P. (Stroud)  
 Armstrong, W. C. (Heaton)  
 Asquith, Rt. Hn. Herbert Henry  
 Astbury, John Meir  
 Baker, Sir John (Portsmouth)  
 Baring, Godfrey (Isle of Wight)  
 Barker, John  
 Barlow, Percy (Bedford)  
 Barnard, E. B.  
 Barran, Rowland Hirst  
 Barry, Redmond J. (Tyrone, N.)  
 Beale, W. P.  
 Beauchamp, E.  
 Bellairs, Carlyon  
 Benn, W. (T'w'r Hamlets, S. Geo.)  
 Bennett, E. N.  
 Berridge, T. H. D.

Bertram, Julius  
 Birrell, Rt. Hon. Augustine  
 Black, Arthur W.  
 Branch, James  
 Brigg, John  
 Bright, J. A.  
 Brodie, H. C.  
 Bryce, J. Annan  
 Buchanan, Thomas Ryburn  
 Burns, Rt. Hon. John  
 Buxton, Rt. Hn. Sydney Charles  
 Carr-Gomm, H. W.  
 Causton, Rt. Hn. Richard Knight  
 Cawley, Sir Frederick  
 Cheetham, John Frederick  
 Churchill, Rt. Hon. Winston S.  
 Cleland, J. W.  
 Clough, William  
 Cobbold, Felix Thornley  
 Collins, Stephen (Lambeth)

Collins, Sir Wm. J. (St. Pancras, W.)  
 Compton-Rickett, Sir J.  
 Corbett, CH (Sussex, E. Grinst'd)  
 Cornwall, Sir Edwin A.  
 Cotton, Sir H. J. S.  
 Cowan, W. H.  
 Craig, Herbert J. (Tynemouth)  
 Crossley, William J.  
 Dalziel, James Henry  
 Davies, Timothy (Fulham)  
 Dobson, Thomas W.  
 Duckworth, James  
 Dunn, A. Edward (Cambridge)  
 Dunne, Major E. Martin (Walsall)  
 Edwards, Sir Francis (Radnor)  
 Erskine, David C.  
 Essex, R. W.  
 Evans, Sir Samuel T.  
 Everett, R. Lacey  
 Fenwick, Charles



Ferens, T. R.  
 Fiennes, Hon. Eustace  
 Fuller, John Michael F.  
 Fullerton, Hugh  
 Goddard, Sir Daniel Ford  
 Gooch, George Peabody (Bath)  
 Grant, Corrie  
 Greenwood, G. (Peterborough)  
 Grey, Rt. Hon. Sir Edward  
 Gurdon, Rt. Hon. Sir W. Brampton  
 Haldane, Rt. Hon. Richard B.  
 Hall, Frederick  
 Harcourt, Rt. Hon. L. (Rossendale)  
 Harcourt, Robert V. (Montrose)  
 Harmsworth, Cecil B. (Worc'r)  
 Haslam, Lewis (Monmouth)  
 Hazel, Dr. A. E.  
 Helme, Norval Watson  
 Henderson, J. M. (Aberdeen, W.)  
 Henry, Charles S.  
 Herbert, Col. Sir Ivor (Mon., S.)  
 Higham, John Sharp  
 Hobhouse, Charles E. H.  
 Holt, Richard Durning  
 Hope, W. Bateman (Somerset, N)  
 Howard, Hon. Geoffrey  
 Hyde, Clarendon  
 Idris, T. H. W.  
 Jacoby, Sir James Alfred  
 Jardine, Sir J.  
 Johnson, W. (Nuneaton)  
 Jones, Sir D. Brynmor (Swansea)  
 Jones, William (Carnarvonshire)  
 Kearley, Sir Hudson E.  
 King, Alfred John (Knutsford)  
 Lamb, Ernest H. (Rochester)  
 Lambert, George  
 Layland-Barratt, Sir Francis  
 Leese, Sir Joseph F. (Accrington)  
 Lehmann, R. C.  
 Lever, A. Levy (Essex, Harwich)  
 Levy, Sir Maurice  
 Lewis, John Herbert  
 Lloyd-George, Rt. Hon. David  
 Lupton, Arnold  
 Luttrell, Hugh Fownes  
 Lynch, H. B.

Macnamara, Dr. Thomas J.  
 M'Crae, Sir George  
 M'Laren, H. D. (Stafford, W.)  
 M'Micking, Major G.  
 Maddison, Frederick  
 Mallet, Charles E.  
 Manfield, Harry (Northants)  
 Mason, A. E. W. (Coventry)  
 Masterman, C. F. G.  
 Micklem, Nathaniel  
 Mond, A.  
 Montagu, Hon. E. S.  
 Montgomery, H. G.  
 Morgan, G. Hay (Cornwall)  
 Morse, L. L.  
 Morton, Alpheus Cleophas  
 Newnes, F. (Notts, Bassetlaw)  
 Nicholls, George  
 Nicholson, Charles N. (Doncast'r)  
 Norman, Sir Henry  
 Norton, Capt. Cecil William  
 Nuttall, Harry  
 O'Malley, William  
 Paulton, James Mellor  
 Pearce, Robert (Staffs, Leek)  
 Pollard, Dr.  
 Priestley, Arthur (Grantham)  
 Priestley, W. E. B. (Bradford, E.)  
 Radford, G. H.  
 Rainy, A. Rolland  
 Raphael, Herbert H.  
 Rees, J. D.  
 Rendall, Athelstan  
 Richardson, A.  
 Ridsdale, E. A.  
 Roberts, Charles H. (Lincoln)  
 Roberts, Sir John H. (Denbighs.)  
 Robinson, S.  
 Roch, Walter F. (Pembroke)  
 Roe, Sir Thomas  
 Rogers, F. E. Newman  
 Runciman, Rt. Hon. Walter  
 Russell, Rt. Hon. T. W.  
 Samuel, S. M. (Whitechapel)  
 Scarisbrick, T. T. L.  
 Scott, A. H. (Ashton under Lyne)  
 Seaverns, J. H.

Seely, Colonel  
 Shaw, Rt. Hon. T. (Hawick, B.)  
 Sherwell, Arthur James  
 Silcock, Thomas Ball  
 Sinclair, Rt. Hon. John  
 Sloan, Thomas Henry  
 Smeaton, Donald Mackenzie  
 Spicer, Sir Albert  
 Stanger, H. Y.  
 Stanley, Hn. A. Lyulph (Chesh.)  
 Stewart, Halley (Greenock)  
 Stewart-Smith, D. (Kendal)  
 Strachey, Sir Edward  
 Straus, B. S. (Mile End)  
 Stuart, James (Sunderland)  
 Taylor, Theodore C. (Radcliffe)  
 Tennant, H. J. (Berwickshire)  
 Thomas, Sir A. (Glamorgan, E.)  
 Thorne, G. R. (Wolverhampton)  
 Thornton, Percy M.  
 Toulmin, George  
 Trevelyan, Charles Philips  
 Verney, F. W.  
 Walters, John Tudor  
 Walton, Joseph  
 Ward, W. Dudley (Southampton)  
 Waring, Walter  
 Warner, Thomas Courtenay T.  
 Wason, Rt. Hon. E. (Clackmannan)  
 Wason, John Cathcart (Orkney)  
 Waterlow, D. S.  
 White, Sir George (Norfolk)  
 White, J. D. (Dumbartonshire)  
 White, Luke (York, E. R.)  
 Whitley, John Henry (Halifax)  
 Wiles, Thomas  
 Williamson, A.  
 Wills, Arthur Walters  
 Wilson, Henry J. (Yorks, W. R.)  
 Wilson, J. W. (Worcestersh. N.)  
 Wilson, P. W. (St. Pancras, S.)  
 Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr.  
 Joseph Pease and Master of  
 Elibank.

### NOES.

Arkwright, John Stanhope  
 Barnes, G. N.  
 Bridgeman, W. Clive  
 Bull, Sir William James  
 Clynes, J. R.  
 Collings, Rt. Hon. J. (Birm'gham)  
 Courthope, G. Loyd  
 Crooks, William  
 Curran, Peter Francis  
 Du Cros, Arthur Philip  
 Duncan, C. (Barrow-in-Furness)  
 Fell, Arthur  
 Field, William

Glover, Thomas  
 Hills, J. W.  
 Hudson, Walter  
 Hunt, Rowland  
 Jowett, F. W.  
 Joyce, Michael  
 Macpherson, J. T.  
 MacVeagh, Jeremiah (Down, S.)  
 Marks, H. H. (Kent)  
 Nolan, Joseph  
 O'Brien, Patrick (Kilkenny)  
 Parker, James (Halifax)  
 Redmond, William (Clare)

Richards, T. F. (Wolverh'mpt'n)  
 Rutherford, W. W. (Liverpool)  
 Seddon, J.  
 Summerbell, T.  
 Thorne, William (West Ham)  
 Walsh, Stephen  
 Wedgwood, Josiah C.  
 Williams, J. (Glamorgan)

TELLERS FOR THE NOES—Mr.  
 O'Grady and Mr. Claude Hay.

Resolved, "That this House welcomes the statement of the Prime Minister with regard to the national importance of the problem of unemployment, and approves of the steps proposed to be taken by the Government to meet the present emergency."

Whereupon Mr. SPEAKER, pursuant to the Order of the House of 31st July, adjourned the House without Question put.

Adjourned at ten minutes before  
 Two o'clock.

[APPENDICES



# APPENDIX.

## PUBLIC BILLS

DEALT WITH IN VOLUME CXCIV.

Those marked thus \* are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill originated in the House of Lords.

### (A.) HOUSE OF LORDS.

Title of Bill.	Brought in by	Progress.
*Children	<i>Earl Beauchamp</i>	Read 1 <sup>a</sup> 20th October (888)
*Housing of the Working Classes (Ireland)	<i>Lord Denman</i>	Committee 22nd October (1289)
Nurses Registration	<i>Lord Amphill</i>	Committee 20th October (888)

### (B) HOUSE OF COMMONS.

Title of Bill.	Brought in by	Progress.
*Children	<i>Mr. H. Samuel</i>	Report 12th October (41) Report 13th October (172) Report } 19th Oct. Read 3 <sup>a</sup> and passed } (767)
*Licensing	<i>Mr. Asquith</i>	Committee 14th October (321) Committee 15th October (498) Committee 16th October (614) Committee 20th October (955) Committee 21st October (1174) Committee 22nd October (1381) Committee 23rd October (1492)
*White Phosphorus Matches (Prohibition)	<i>Mr. Gladstone</i>	Read 2 <sup>a</sup> 19th October (832)





# INDEX

TO THE

# PARLIAMENTARY DEBATES

[AUTHORISED EDITION].

TWELFTH VOLUME OF SESSION 1908.

OCTOBER 12—26.

## EXPLANATION OF ARRANGEMENT AND ABBREVIATIONS.

**1R.** = Read First, Second, or Third Time = **1R.**, **2R.**, **3R.** [**c.**] = Commons. [**L.**] = Lords.  
**Amendt.** = Amendment. **Os.** = Observations. **Qs.** = Questions. **As.** = Answers.  
**Com.** = Committee. **Con.** = Consideration. **Rep.** = Report.

Where in the Index \* is added with Reading of a Bill, or a Vote in Committee of Supply, it indicates that no Debate took place on that stage of the Bill, or on that Vote.

Subjects discussed in Committee of Supply are entered under their headings, and also under Members' Names, without reference to the actual Vote before the Committee.

### Derbyshire

Postal Facilities.

Q. Mr. Esslemont ; A. Mr. Buxton, Oct. 19, 760.

Post Office Half-Holiday.

Q. Mr. Pirie ; A. Mr. Buxton, Oct. 23, 1490.

### Braham, Mr. W. [Cork County, N.E.]

Evicted Tenants—Progress made with Reinstatements in Cork, Oct. 15, 486.

Grehan Estate

Case of J. Fitzgerald, Oct. 26, 1589.

Farms held by Mr. J. J. Therry, Oct. 15, 486.

Kildorrery—Charges against the Misses Nagle, Oct. 26, 1579.

### Abraham, Mr. W. [Glamorgan, Rhondda]

Licensing Bill, *Com.*, Oct. 22, 1423–1425.

Unemployment Distress Committees, Increasing Number of, proposed, Oct. 26, 1751.

### Accession Declaration

Abolition of, proposed.

Q. Mr. MacNeill ; A. Mr. Asquith, Oct. 15, 443.

### Acland, Mr. F. D.—*Financial Secretary to the War Office* [Yorkshire, Richmond]

Ammunition—Distribution of Small Arm Stores, Oct. 21, 1138.

Pensions, Weekly Payment of, Oct. 21, 1138.

### Acland-Hood, Rt. Hon. Sir A. [Somerset, Wellington]

Business of the House, Course of, Oct. 16, 613.

Census of Production Act—Returns required, Oct. 21, 1146.

### Admiralty

*First Lord*—Rt. Hon. R. McKenna.

*Financial Secretary*—Dr. T. J. Macnamara.

Granite Contracts, Value of, etc.

Q. Sir G. Parker ; A. Mr. McKenna, Oct. 14, 292.

### Africa, East

[*For Particular Places see their Names, as Uganda, etc.*]

German Export Duty on Sisal Bulbilles.

Q. Mr. Rees ; A. Colonel Seely, Oct. 19, 741.

Land Board, Constitution of.

Q. Mr. Wedgwood ; A. Colonel Seely, Oct. 15, 462.

Oct. 12—Oct. 26.

**Africa, East—cont.**

Land Lease System and Grants made in 1907.

Qs. Mr. Wedgwood; As. Colonel Seely, Oct. 15, 463.

Mail Conveyance and Shipments of Government Material.

Q. Mr. Lonsdale; A. Colonel Seely, Oct. 22, 1350.

Native Rights in the Uplands.

Qs. Mr. Rees; As. Colonel Seely, Oct. 19, 741.

Steamship Communication with.

Q. Mr. Rees; A. Colonel Seely, Oct. 19, 742.

Veterinary Bacteriological Work—Report Presented, Oct. 12, 3, 23.

**Africa, South**

[For Particular Colonies, etc., see their Names, as Transvaal.]

Central Railways Administration, Retrenchments in—Correspondence and Returns, Presented, Oct. 22, 1289, 1320.

Constabulary Retrenchments.

Q. Mr. Godfrey Baring; A. Colonel Seely, Oct. 12, 34.

Qs. Mr. Joynson-Hicks, Sir G. Parker; As. Colonel Seely, Mr. Speaker, Oct. 19, 745.

Correspondence and Returns Presented, Oct. 22, 1289, 1320.

Federation Proposals—Effect on Native States.

Qs. Mr. Wedgwood, Mr. Ashley; As. Colonel Seely, Oct. 26, 1609.

Garrison—Reduction Proposals.

Qs. Sir G. Parker; As. Mr. Haldane, Oct. 26, 1600.

**Africa, West**

[For Particular Provinces, etc., see their Names, as Nigeria.]

Lobito Bay Railway Scheme.

Q. Mr. Essex; A. Sir E. Grey, Oct. 15, 465.

**Agriculture, Ireland**

Statistics Presented, Oct. 12, 9, 28; Oct. 19, 695; Oct. 20, 886.

**Agriculture and Fisheries Board**

President—Rt. Hon. Earl Carrington.

Annual Report, Presented, Oct. 12, 4, 28.

**Albion Assurance Association**

Position of.

Q. Mr. Hunt; A. Mr. Churchill, Oct. 26, 1587.

**Alden, Mr. P. [Middlesex, Tottenham]**

Unemployment

Census of Unemployed, proposed, Oct. 26, 1636.

**Alden, Mr. P.—cont.**

Unemployment—cont.

Government Proposals for dealing with, Oct. 26, 1631-1643.

Tariff Reform as a Remedy, Oct. 26, 1633.

**Aldgate Tram to Bow**

Sanction to Stud System.

Qs. Mr. B. S. Straus; A. Mr. Churchill, Oct. 19, 749.

**Aliens**

Return on Non-emigrant Ship after Rejection.

Qs. Mr. Fell; As. Mr. Gladstone, Oct. 20, 942; Oct. 22, 1338.

Unskilled Workers, Repatriation of.

Q. Mr. Fetherstonhaugh; A. Mr. Gladstone, Oct. 26, 1568.

**All-British Mail Route**

Position with regard to.

Qs. Mr. Mitchell-Thomson, Mr. Winterton; As. Colonel Seely, Oct. 20, 932.

**Ambrose, Dr. R. [Mayo, W.]**

National School Teachers' Salary, Oct. 22, 1334.

**American Gooseberry Mildew**

See Gooseberry Mildew.

**Amphill, Lord**

British Indians in South Africa

Ghandi, Mr., Imprisonment of, Oct. 21, 1118.

Grievances of—British Government Policy, Oct. 21, 1119-1125.

Natal Traders' Licensing Bill—Imperial Sanction, Oct. 21, 1118.

Prison Treatment, Oct. 21, 1118.

Tabling Papers relating to, proposed, Oct. 21, 1118.

Nurses Registration Bill, Com., Oct. 21, 889, 890, 892, 894, 895, 896, 897, 903-907, 909, 910, 912.

Sweated Industries Committee—Proposals for carrying out Recommendations, Oct. 26, 1558-1561.

**Anson, Sir W. R. [Oxford University]**

Children Bill, Com., Oct. 13, 271.

**Anstruther-Gray, Major [St. Andrews Burghs]**

Army

Cavalry Barracks for Scotland, Oct. 22, 1332.

Horse-breeding Proposals, Oct. 22, 1137.

Dundee Submarine Docking Scheme, Oct. 26, 1575.

India, Cholera in—Value of Sanitary Cure, Oct. 22, 1347.

Oct. 12—Oct. 26.

**Further Gray, Major—cont.****Army—Rosyth Works**

Granite provided, Oct. 22, 1340.

Men employed on, Oct. 22, 1345.

t. Andrews Bay, Illegal Trawling in, Oct. 26, 1578.

Unemployed, Admiralty Assistance to, Oct. 26, 1576.

**"Gonant" Wreck**

Boats carried, etc.

Q. Mr. Herbert; A. Mr. Churchill, Oct. 19, 752.

**High**

Offences in County—Return Presented, Oct. 14, 290.

**Hitage, Mr. B. [Leeds, Central]**

Gold Coast—Railway Rate on Spirits, Oct. 20, 920.

**My**

Secretary of State—Rt. Hon. H. B. Haldane

Parliamentary Secretary—Lord Lucas.

Financial Secretary—Mr. F. D. Acland.

Aeronautical Work, Grants for.

Q. Mr. Ashley; A. Mr. Haldane, Oct. 19, 737.

Aldershot Barracks, Slates used for.

Q. Sir B. Sheffield; A. Mr. Haldane, Oct. 22, 1331.

**Ammunition**

Muzzle Velocity, etc.

Qs. Mr. H. P. Pease; As. Mr. Haldane, Oct. 15, 446; Oct. 19, 740.

Qs. Mr. Courthope; As. Mr. Haldane, Oct. 22, 1321.

Small Arm Stores, Distribution of.

Q. Mr. Bridgeman; A. Mr. Acland, Oct. 21, 1138.

Trials of.

Qs. Mr. Courthope; As. Mr. Haldane, Oct. 26, 1603.

Artillery, Royal Garrison—Promotion of Officers.

Qs. Mr. A. Lee, Mr. Ashley; As. Mr. Haldane, Oct. 26, 1595.

**Cavalry**

Establishment Statistics.

Qs. Mr. Ashley; As. Mr. Haldane, Oct. 19, 737.

**Scottish Barracks**

Negotiations as to.

Qs. Mr. C. E. Price, Mr. Pirie; As. Mr. Haldane, Oct. 20,

**Army—cont.**

Dismissals under present Government.

Qs. Mr. G. Gooch; As. Mr. Haldane, Oct. 15, 447; Oct. 19, 739.

Dublin Barracks—Painting Contract.

Q. Mr. Nannetti; A. Mr. Haldane, Oct. 26, 1582.

Fifth Lancers—Report on Case of five Officers.

Q. Mr. Nield; A. Mr. Haldane, Oct. 26, 1591.

Guns—Result of Trial of New Howitzer.

Qs. Mr. Ashley; As. Mr. Haldane, Oct. 26, 1593.

**Horses**

Breeding Proposals.

Qs. Mr. Bridgeman, Earl Winter- ton, Major Anstruther - Gray; As. Mr. Haldane, Oct. 21, 1137.

Qs. Mr. Mooney; As. Mr. J. A. Pease, Oct. 21, 1147.

Qs. Mr. Ashley; As. Mr. Hal- dane, Oct. 26, 1596.

Grants for Breeding (United Kingdom and Continent).

Qs. Mr. Ashley; As. Mr. Haldane, Mr. Speaker, Oct. 19, 736.

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Q. Captain Faber; A. Mr. Hal- dane, Oct. 20, 927.

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Q. Mr. Lehmann; A. Mr. Hal- dane, Oct. 15, 445.

Qs. Mr. G. Greenwood; As. Mr. H. Samuel, Mr. Speaker, Oct. 15, 478.

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Q. Mr. Ashley; A. Mr. Haldane, Oct. 19, 740.

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Qs. Mr. Nield; As. Mr. Haldane, Oct. 26, 1592.

Ordnance Factories, Discharges (1902-1908).

Q. Mr. G. Gooch; A. Mr. Hal- dane, Oct. 26, 1594.

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Commutation, Extension of Facilities for.

Q. Mr. D. Cross; A. Mr. Oct. 26, 1599.

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*Qs.* Colonel Warde, Mr. Essex, Earl Winterton, Sir E. Sassoon; *As.* Mr. Haldane, Oct. 15, 444.

*Q.* Mr. Goulding; *A.* Mr. Haldane, Oct. 19, 720.

*Qs.* Mr. Carlile, Mr. Byles; *As.* Mr. Haldane, Oct. 19, 738.

*Q.* Mr. Bridgeman; *A.* Mr. Acland, Oct. 21, 1138.

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*Os.* Mr. A. J. Balfour, Oct. 26, 1678; Mr. J. Burns, 1677, 1678; Mr. W. Long, 1681; Mr. Haldane, 1691; Mr. Asquith, 1732.

**Special Reserve, see that Subheading.****Rifles****Automatic, Value of, etc.**

*Qs.* Mr. Courthope; *As.* Mr. Haldane, Oct. 22, 1329.

**Lee-Enfield — Strength of Breech Action.**

*Qs.* Mr. H. P. Pease; *As.* Mr. Haldane, Oct. 15, 446; Oct. 19, 740.

*Q.* Mr. Courthope; *A.* Mr. Haldane, Oct. 22, 1329.

**Rosse Rifle, Ammunition for.**

*Q.* Earl Winterton; *A.* Mr. Haldane, Oct. 26, 1603.

**Salisbury Plain—Acquisition of additional Land.**

*Qs.* Mr. W. Long, Mr. A. Chamberlain, Mr. Goulding; *As.* Mr. Haldane, Mr. Speaker, Oct. 20, 924.

*Q.* Mr. Goulding; *A.* Mr. Haldane, Oct. 22, 1331.

*Qs.* Mr. Goulding; *As.* Mr. Haldane, Oct. 26, 1595.

**Saumur Cavalry School, Attendance of Officers at.**

*Q.* Mr. Ashley; *A.* Mr. Haldane, Oct. 12, 37.

**Soldiers****Civil Employment as Firemen on Railways.**

*Qs.* Mr. Hudson; *As.* Mr. Haldane, Oct. 22, 1328.

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*Q.* Mr. Ashley; *A.* Mr. Haldane, Oct. 19, 736.

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*Q.* Captain Craig; *A.* Mr. Haldane, Oct. 26, 1600.

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*Qs.* Mr. A. Lee; *As.* Mr. Haldane, Mr. Speaker, Oct. 26, 1598.

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*Qs.* Mr. Ashley; *As.* Mr. Haldane, Mr. Speaker, Oct. 1604.

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*Q.* Mr. Ashley; *A.* Mr. Haldane, Oct. 19, 734.

*Q.* Mr. A. Lee; *A.* Mr. Haldane, Oct. 19, 735.

**Strength.**

*Q.* Mr. A. Lee; *A.* Mr. Haldane, Oct. 19, 700.

*Qs.* Mr. A. Lee, Mr. Ashley; *As.* Mr. Haldane, Oct. 19, 735.

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*Qs.* Mr. Ashley; *As.* Mr. Haldane, Oct. 12, 36.

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*Q.* Mr. Carlile; *A.* Mr. Haldane, Oct. 26, 1598.

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*Q.* Mr. Herbert; *A.* Mr. Haldane, Oct. 16, 613.

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*Qs.* Mr. Ashley; *As.* Mr. Haldane, Oct. 19, 733, 734.

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*Q.* Mr. Ashley; *A.* Mr. Haldane, Oct. 26, 1601.

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*Q.* Captain Faber; *A.* Mr. Haldane, Oct. 20, 926.

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*Q.* Lord Balcarras; *A.* Mr. Haldane, Oct. 26, 1593.

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*Q.* Mr. Courthope; *A.* Mr. Haldane, Oct. 26, 1602.

**Ranges, Acquisition of Land for.**

*Q.* Sir B. Sheffield; *A.* Mr. Haldane, Oct. 22, 1332.

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*Qs.* Mr. Ashley; *As.* Mr. Haldane, Oct. 26, 1600.

**Re-enlistment Regulations.**

*Q.* Mr. E. Cecil; *A.* Mr. Haldane, Oct. 22, 1332.

**Rifles, Converted, Date of Issue of.**

*Q.* Mr. Courthope; *A.* Mr. Haldane, Oct. 26, 1603.

**Royal Engineers Volunteer Corps Quartermasters, Position of.**

*Q.* Mr. Courthope; *A.* Mr. Haldane, Oct. 15, 445.

**Special Reserve, see that title.****Strength of.**

*Q.* Mr. A. Lee; *A.* Mr. Haldane, Oct. 19, 735.



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**Wilson**, Captain E. B., Appointment held by.

Q. Mr. G. Roberts; A. Mr. Haldane, Oct. 19, 738.

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Q. Mr. J. F. Mason; A. Mr. Haldane, Oct. 26, 1583.

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**Arnold-Forster, Rt. Hon. H. O.** [Croydon]

**Defence of Landward Forts of Naval Arsenals**, Oct. 26, 1597, 1598.

**Licensing Bill**, Com., Oct. 14, 331–333; Oct. 20, 984–988.

**Unemployed—Enlistment in the Special Reserve**, Oct. 26, 1744.

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**Land Congestion**, Proposals for dealing with, Oct. 21, 1090.

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**Ashley, Mr. W. W.** [Lancashire, N., Blackpool]

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Attack on Process Server.

Q. Captain Craig; A. Mr. Birrell, *Oct. 21*, 1154.**Australia**[See also *Names of States.*]

Naval Defence Scheme.

Qs. Mr. W. Redmond; As. Mr. McKenna, *Oct. 22*, 1342.Correspondence Presented, *Oct. 13*, 161, 164.

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Q. Mr. Menzies; A. Mr. McKenna, *Oct. 22*, 1341.**Austria-Hungary**Finances—Report Presented, *Oct. 12*, 5.Trade Reports, Presented, *Oct. 12*, 4.**Bahamas**Annual Report Presented, *Oct. 12*, 3, 23.

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Q. Mr. Carlile; A. Mr. McKenna, *Oct. 26*, 1573.**Bakers**

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Qs. Mr. W. Thorne, Mr. Rees; As. Mr. Asquith, *Oct. 20*, 953.**Balcarres, Lord [Lancashire, Chorley]**Army Territorial Force Officers, Gazetting of, *Oct. 26*, 1583.Children Bill, *Com.*, *Oct. 13*, 255.Delamere Woodlands, Planting of, *Oct. 21*, 1134.Inverliever Estate—Planting Scheme, *Oct. 21*, 1134.Woolwich Arsenal—Employment of Boys, *Oct. 26*, 1602.

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*Qs. Captain Faber, Mr. Lynch; As. Sir E. Grey, Oct. 22, 1353.*

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**Bandbridge**

Roman Catholic Schools, Control over.

*Q. Mr. Sloan; A. Mr. Birrell, Oct. 26, 1590.*

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*Q. Mr. Sloan; A. Mr. Buxton, Oct. 26, 1585.*

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**Baring, Mr. G.** [Isle of Wight]

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**Barnard, Mr. E. B.** [Kidderminster]

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**Barnes, Mr. G. N.** [Glasgow, Blackfriars]

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**Barrie, Mr. H. T.** [Londonderry, N.]

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*Q. Mr. Sloan; A. Mr. Buxton, Oct. 16, 607.*

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*Q. Mr. G. Clark; A. Mr. Birrell, Oct. 26, 1573.*

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“ St. Vincent ” Class, Statement as to Armament of, *Oct. 19, 732.*

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**Belloc, Mr. H. V. P. R. [Salford, S.]**

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**Benn, Sir J. W. [Devonport]**

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**Bennett, Mr. E. N. [Oxfordshire, Woodstock]**

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**Bertram, Mr. J. [Herts, Hitchin]**

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Q. Mr. R. Harcourt ; A. Mr. McKinnon Wood, *Oct. 26, 1610.*

**Birrell, Rt. Hon. A.—Chief Secretary for Ireland [Bristol, N.]**

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Bandbridge Roman Catholic School, Control over, *Oct. 26, 1590.*

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*Q.* Mr. H. C. Lea; *A.* Mr. T. Shaw, *Oct. 19*, 711.

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*Qs. Mr. G. Roberts, Mr. Morrell; A. Mr. J. A. Pease, Oct. 22, 1363.*

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Q. Mr. Butcher; A. Mr. Runciman, Oct. 19, 713.

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Q. Mr. Herbert; A. Mr. Runciman, Oct. 22, 1322.

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Q. Mr. Butcher; A. Mr. Runciman, Oct. 19, 713.

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Q. Mr. Bridgeman; A. Mr. Runciman, Oct. 26, 1585.

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Q. Mr. Horniman; A. Mr. Runciman, Oct. 20, 922.

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Q. Mr. Lonsdale; A. Mr. Birrell, Oct. 26, 1582.

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Qs. Mr. Lonsdale, Mr. Boland; As. Mr. Birrell, Oct. 14, 316.

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Q. Mr. Boland; A. Mr. Birrell, Oct. 15, 488.

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Q. Mr. Sloan; A. Mr. Birrell, Oct. 26, 1590.

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Qs. Mr. Barrie; Mr. Lonsdale, Mr. McCaw; As. Mr. Birrell, Oct. 14, 312.

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Q. Mr. Sloan; A. Mr. Birrell, Oct. 22, 1377.

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Q. Mr. Rowlands; A. Mr. Runciman, Oct. 19, 724.

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Q. Mr. W. T. Wilson; A. Mr. Runciman, Oct. 22, 1334.

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Qs. Mr. J. M. Robertson, Dr. Rutherford; As. Sir E. Grey, Oct. 22, 1354.

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Q. Mr. Lough; A. Mr. Asquith, Oct. 12, 38.

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Q. Sir G. White; A. Mr. Asquith, Oct. 21, 1158.

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*Secretary of State*—Rt. Hon. H. Gladstone.

*Under-Secretary*—Mr. H. Samuel.

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*Q.* Mr. Courthope; *A.* Mr. J. A. Pease, *Oct. 22*, 1364.

*Q.* Mr. L. Hardy; *A.* Mr. Burns, *Oct. 23*, 1492.

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*Q.* Mr. Courthope; *A.* Mr. Asquith, *Oct. 15*, 491.

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*Q.* Sir W. J. Collins; *A.* Sir E. Strachey, *Oct. 22*, 1338.

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- Secretary of State*—Rt. Hon. Viscount Morley.
- Under-Secretary* — Rt. Hon. T. R. Buchanan.

**Indo-China, French**

- Trade Report Presented, Oct. 12, 5.

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- (Ireland) Report Presented, Oct. 26, 1557, 1565.
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- Scottish Inquiry, Proposals for.  
*Q.* Mr. M. Ferguson; *A.* Mr. Sinclair, Oct. 19, 727.

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- Chief Secretary*—Rt. Hon. A. Birrell.  
*Lord-Lieutenant*—Earl of Aberdeen.  
*Attorney-General*—Rt. Hon. R. R. Cherry.  
*Solicitor-General*—Mr. R. Barry.  
 [For particular Places, Estates, etc., *see* their Names.]
- Afforestation—*see* Forestry.
- Agriculture and Technical Instruction Department, *see* that title.
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*Q.* Mr. Sloan; *A.* Mr. Birrell, Oct. 26, 1589.

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*Os.* Marquess of Londonderry, Oct. 21, 1073–1075; Lord Clonbrock, 1079.

*Q.* Mr. W. Long; *A.* Mr. Birrell, Oct. 15, 449.

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*Q.* Mr. Moore; *A.* Mr. Birrell, Oct. 21, 1158.

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*Os.* Marquess of Londonderry, Oct. 21, 1072, 1073; Viscount Massareene, 1100; Marquess of Lansdowne, 1105; Earl of Crewe, 1114–1117; Lord Macdonnell, 1117.

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*Qs.* Captain Craig, Mr. Moore; *As.* Mr. Birrell, Oct. 21, 1156.

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*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 16, 611.

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*Q.* Mr. Staveley-Hill; *A.* Mr. Birrell, Oct. 16, 612.

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*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 14, 314.

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*Os.* Lord Denman, Oct. 21, 1083; Lord Ashbourne, 1090.

*Q.* Mr. W. O'Brien; *A.* Mr. Asquith, Oct. 26, 1627.

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**Crimes Act, Enforcement of, proposed.**

*Os.* Marquess of Londonderry, Oct. 21, 1074–1076; Lord Denman, 1084; Lord Ashbourne, 1088, 1089; Marquess of Lansdowne, 1105 1108; Earl of Crewe, 1113, 1115.

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*Q.* Captain Craig; *A.* Mr. Birrell, Oct. 15, 487.

*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 19, 715.

*Qs.* Mr. C. Craig; *As.* Mr. Birrell, Oct. 19, 718.

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*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 19, 716.

*Qs.* Mr. Moore; *As.* Mr. Birrell, Oct. 20, 952.

*Qs.* Captain Craig; *As.* Mr. Birrell, Oct. 21, 1155.

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*Q.* Captain Craig; *A.* Mr. Birrell, Oct. 15, 487.

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*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 19, 716.

*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 20, 915.

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*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 16, 609.

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*Q.* Mr. Staveley-Hill; *A.* Mr. Birrell, Oct. 19, 699.

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*Q.* Mr. Lonsdale; *A.* Mr. Birrell, Oct. 21, 1153.

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*Q.* Mr. MacCaw; *A.* Mr. Birrell, Oct. 19, 717.

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*Q.* Viscount Castlereagh; *A.* Mr. Birrell, Oct. 16, 611.

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**Jowett, Mr. F. W.** [Bradford, W.]

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*Q.* Captain Craig ; *A.* Mr. Birrell, *Oct. 22, 1374.*

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*Q.* Mr. Boland ; *A.* Mr. Birrell, *Oct. 15, 488.*

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*Q.* Mr. Abraham ; *A.* Mr. Cherry, *Oct. 26, 1579.*

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*Qs.* Captain Craig, Earl Winterton ;  
*As.* Mr. Birrell, *Oct. 20, 951.*

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*Q.* Mr. Lonsdale ; *A.* Mr. Birrell, *Oct. 21, 1153.*  
*Q.* Captain Craig ; *A.* Mr. Birrell, *Oct. 22, 1376.*

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*Q.* Mr. Dalziel ; *A.* Mr. Buxton, *Oct. 22, 1324.*

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*Q.* Mr. Lonsdale ; *A.* Mr. Birrell, *Oct. 14, 315.*

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*Q.* Mr. H. H. Marks ; *A.* Mr. McK. Wood, *Oct. 26, 1611.*

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*Qs.* Mr. Joynson-Hicks, Mr. Markham ;  
*As.* Colonel Seely, *Oct. 19, 744.*

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*Q.* Viscount Helmsley; *A.* Mr. Gladstone, *Oct. 22*, 1358.

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*Q.* Mr. S. Wortley; *A.* Mr. Asquith, *Oct. 26*, 1568.

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     *Qs.* Sir G. Parker; *As.* Mr. Haldane, *Oct. 22*, 1330.  
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- Children Bill, *Con.*, *Oct. 13*, 205; *Oct. 19*, 782, 821.

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     *Qs.* Mr. Mackarness, Mr. J. C. Wason; *As.* Mr. Asquith, Mr. Speaker, *Oct. 15*, 490.  
     *Qs.* Mr. Markham; *As.* Mr. Asquith, Mr. Speaker, *Oct. 21*, 1159.  
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     *Q.* Mr. Mackarness; *A.* Mr. H. Samuel, *Oct. 15*, 479.  
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     *Qs.* Mr. Mackarness, Mr. S. Wortley; *As.* Mr. H. Samuel, *Oct. 15*, 476.  
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- Salmon—Leasing of Scottish Crown Fisheries, *Oct. 22*, 1336.

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- Income-tax—Demand for Tradesmen's Balance Sheets, *Oct. 20*, 942.  
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     *Q.* Mr. Mackarness; *A.* Colonel Seely, *Oct. 26*, 1609.  
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- Trafalgar Day, Cause for not Displaying Flag on.  
     *Q.* Captain Craig, Mr. J. MacVeagh; *A.* Mr. L. Harcourt, *Oct. 26*, 1619.

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*Qs.* Mr. Staveley-Hill; *As.* Mr. McKenna, Oct. 23, 1489.

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*Q.* Mr. E. H. Lamb; *A.* Mr. McKenna, Oct. 21, 1133.

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*Q.* Mr. Bellairs; *A.* Mr. McKenna, Oct. 15, 454.*Qs.* Mr. Bellairs, Mr. Ashley; *As.* Mr. McKenna, Oct. 22, 1344.*Q.* Mr. Hunt; *A.* Mr. McKenna, Oct. 26, 1575.Coastguards, *see that title.*

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*Qs.* Mr. Bellairs; *As.* Mr. McKenna, Oct. 19, 733.

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*Q.* Mr. W. T. Wilson; *A.* Mr. McKenna, Oct. 26, 1585.

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*Q.* Mr. Mildmay; *A.* Mr. McKenna, Oct. 22, 1343.

Fleets Return—Classification of “Blake” and “Blenheim.”

*Qs.* Mr. Bellairs, Earl Winterton, Mr. Gretton; *As.* Mr. McKenna, Oct. 21, 1136.

“Gladiator”—Proposals for repairing, and Cost of Salvage.

*Q.* Mr. E. H. Lamb; *A.* Mr. McKenna, Oct. 15, 442.*Qs.* Mr. A. Lee; *As.* Mr. McKenna, Oct. 19, 732.*Q.* Mr. Bellairs; *A.* Mr. McKenna, Oct. 21, 1135.

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*Qs.* Mr. Ashley, Mr. Bellairs; *As.* Mr. McKenna, Oct. 22, 1342.Osborne, *see that title.*

Pembroke Dockyard—Dismissal of Joiners.

*Qs.* Mr. W. T. Wilson; *As.* Mr. McKenna, Oct. 15, 454; Oct. 19, 696.

Pensions, Weekly Payment of.

*Qs.* Mr. Godfrey Baring, Mr. Byles, Sir F. Channing, Mr. Tomkinson, Earl Winterton; *As.* Mr. McKenna, Oct. 14, 293.*Q.* Sir E. Sassoon; *A.* Mr. McKenna, Oct. 15, 456.*Qs.* Mr. Carlile; *As.* Mr. McKenna, Oct. 19, 731.**Navy—cont.**

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*Q.* Mr. Renwick; *A.* Mr. McKenna, Oct. 22, 1339.

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*Q.* Mr. J. Ward; *A.* Mr. Gladstone, Oct. 22, 1356.

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*Qs.* Mr. Mitchell-Thomson; *As.* Mr. McKenna, Oct. 26, 1566.*Q.* Mr. Renwick; *A.* Mr. McKenna, Oct. 26, 1576.

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*Q.* Sir G. Parker; *A.* Mr. McKenna, Oct. 14, 293.

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*Q.* Mr. Bridgeman; *A.* Mr. McKenna, Oct. 26, 1591.

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*Q.* Major Anstruther-Gray; *A.* Mr. McKenna, Oct. 22, 1340.

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*Qs.* Major Anstruther-Gray, Mr. A. Lee; *As.* Mr. McKenna, Oct. 22, 1345.

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*Q.* Mr. Bellairs; *A.* Mr. McKenna, Oct. 26, 1577.

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*Q.* Sir B. Sheffield; *A.* Mr. McKenna, Oct. 22, 1343.

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*Q.* Mr. Renwick; *A.* Mr. McKenna, Oct. 26, 1591.

Progress made with.

*Qs.* Mr. A. Lee; *As.* Mr. McKenna Oct. 19, 730.

“St. Vincent” class, Statement as to Armament of.

*Q.* Mr. Bellairs; *A.* Mr. McKenna, Oct. 19, 732.

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*Qs.* Mr. Bellairs; *As.* Mr. McKenna, Oct. 21, 1136; Oct. 26, 1574.

Submarine Docking Accommodation on East Coast.

*Qs.* Major Anstruther-Gray; *A.* Mr. McKenna, Oct. 26, 1575.*Q.* Mr. R. Harcourt; *A.* Mr. McKenna, Oct. 26, 1576.

Summary Punishments Circular, Result of

*Q.* Mr. Everett; *A.* Mr. McKenna, Oct. 15, 455.

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*Q.* Mr. Bellairs; *A.* Mr. McKenna, Oct. 22, 1335.

Information as to Recent Purchases.

*Qs.* Mr. Bellairs; *As.* Mr. McKenna, Oct. 21, 1135.*Qs.* Mr. Stanier; *As.* Mr. McKenna, Oct. 22, 1344.

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Q. Mr. Bellairs; A. Mr. McKenna, Oct. 12, 35.

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Q. Mr. Bellairs; A. Mr. McKenna, Oct. 12, 35.

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Q. Mr. Staveley-Hill; A. Mr. J. A. Pease, Oct. 14, 301.

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Q. Mr. Staveley-Hill; A. Colonel Seely, Oct. 15, 465.

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Q. Mr. Staveley-Hill; A. Colonel Seely, Oct. 14, 301.

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Officers, Reports on, Oct. 26, 1592.

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Q. Mr. Wedgwood; A. Colonel Seely, Oct. 14, 298.

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Q. Mr. J. M. Robertson; A. Colonel Seely, Oct. 22, 1349.

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Qs. Sir G. Parker; As. Colonel Seely, Oct. 21, 1139.

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Q. Mr. Lonsdale; A. Mr. Birrell, Oct. 14, 315.

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Qs. Mr. Rees; As. Colonel Seely, Oct. 26, 1605.

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Os. Duke of Northumberland, Lord Fitzmaurice, Oct. 21, 1131.

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*Q.* Capt. Craig; *A.* Mr. H. Samuel, *Oct. 15*, 478.

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*Q.* Mr. R. Harcourt; *A.* Sir E. Strachey, *Oct. 20, 921.*

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Q. Mr. W. T. Wilson; A. Mr. L.  
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*Q.* Mr. Carr-Gomm; *A.* Mr. Asquith, *Oct. 14, 291.*

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*See* Cables.

**Sugar**

Duty—System of Levy.

*Q.* Mr. Bowles; *A.* Mr. Lloyd-George, *Oct. 14, 307.*

**Summerbell, Mr. T. [Sunderland]**

Birth Certificates, Fee for furnishing, *Oct. 23, 1485.*

Children Bill, *Con.*, *Oct. 12, 79.*

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Post Office—Sorters' Duties, *Oct. 22, 1323.*

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Discussion, Time allowed for, *Oct. 26, 1761.*

Grants to Local Bodies, *Oct. 26, 1614.*

**Superannuation**

Assistant Director of Public Prosecutions, Qualifications of—Minute Presented, *Oct. 12, 33.*

Retiring Allowance—Minutes Presented, *Oct. 12, 17; Oct. 13, 165; Oct. 20, 886; Oct. 14, 290.*

**Surinam**

Trade Report Presented, *Oct. 12, 4.*

**Sutherlandshire**

Main Roads, Grant for Improving.

*Q.* Mr. Morton; *A.* Mr. Sinclair, *Oct. 26, 1577.*

**Sweated Industries**

Report of Select Committee—Proposal for Carrying out Recommendations.

*Qs.* Lord Ampthill, *Oct. 26, 1558–1561; Earl of Crewe, 1561–1563; Earl Cromer, 1563; Earl of Dunraven, 1563.*

**Sweden**

Trade Reports, Presented, *Oct. 12, 5; Oct. 20, 885.*

**Swine**

Movement—Cause for Issue of Order of 1908.

*Q.* Mr. Field; *A.* Sir E. Strachey, *Oct. 20, 921.*

**Swords**

Extra Police, Cause for Employing.

*Qs.* Mr. Lonsdale, Mr. J. Campbell; *As.* Mr. Birrell, *Oct. 21, 1152.*

**Talbot, Lord E. [Sussex, Chichester]**

Children Bill, *Con.*, *Oct. 19, 788.*

Roman Catholic Disabilities, Legislation for removing, *Oct. 12, 39; Oct. 14, 317, 318.*

**Tanet Valley Light Railway**

Additional Powers—Order Presented, *Oct. 12, 13, 24.*

**Taxation**

Levy in England and Ireland.

*Q.* Mr. Bellairs; *A.* Mr. Hobhouse, *Oct. 23, 1488.*

Local Returns for Scotland, Presented, *Oct. 20, 888, 914.*

**Taylor, Mr. T. C. [Lancashire, S.E., Radcliffe]**

Children Bill, *Con.*, *Oct. 12, 65, 146; Oct. 19, 784.*

Opium Traffic in Hong-Kong, *Oct. 19, 747, 748.*

**Telephone Service**

National Telephone Company Employees, Dismissal of.

*Q.* Sir G. Kekewich; *A.* Mr. Buxton, *Oct. 14, 291.*

*Qs.* Mr. B. S. Straus, Mr. Watt, Mr. Hart-Davies, Sir G. Kekewich, Mr. Lupton, Mr. H. C. Lea, Mr. Curran, Mr. K. Hardie, Mr. C. Money; *As.* Mr. Buxton, Mr. Speaker, *Oct. 19, 755.*

*Qs.* Mr. L. Harris, Mr. James Hope, Mr. Lupton; *As.* Mr. Buxton, *Oct. 20, 946.*

*Q.* Mr. Hay; *A.* Mr. Buxton, *Oct. 22, 1323.*

*Qs.* Sir J. Tuke, Mr. C. Money, Mr. H. C. Lea, Mr. Hay, Mr. Watt; *As.* Mr. Buxton, *Oct. 26, 1617.*

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**Telephone Service—cont.**

Provincial Office Employees, Method of selecting.

Q. Mr. Seddon; A. Mr. Buxton, Oct. 20, 922.

**Tennant, Mr. H. J.** [Berwickshire]Children Bill, *Con.*, Oct. 12, 56, 116, 140, 155.**Territorial Force***See under Army.***Testamentary Bequests**

Limitations upon, in certain Countries—Reports Presented, Oct. 12, 10, 22.

**Thomas, Mr. D. A.** [Merthyr Tydvil]

Old-Age Pensions—Applications in Welsh Language, Oct. 21, 1140.

**Thorne, Mr. W.** [West Ham, S.]

Bakers' Hours of Labour—Legislative Proposals, Oct. 20, 953.

Carlisle Poor Law Guardians' Old-Age Pensions Scheme, Oct. 22, 1360.

Middlesex Sessions—Sentences on Two Labourers, Oct. 15, 477; Oct. 22, 1357.

Speech to Unemployed.

Qs. Lord R. Cecil, Mr. Moore; As. Sir W. Robson, Oct. 14, 310.

**Tomkinson, Mr. J.** [Cheshire, Crewe]Licensing Bill, *Com.*, Oct. 14, 330; Oct. 15, 547–549; Oct. 21, 1215.

Naval Pensions, Weekly Payment of, Oct. 14, 294.

**Toulmin, Mr. G.** [Bury, Lancashire]Children Bill, *Con.*, Oct. 19, 785.**Traction Engines**

Regulation as to Third Man.

Q. Mr. Herbert; A. Mr. Gladstone, Oct. 19, 709.

**Trade, Board of***President*—Rt. Hon. W. S. Churchill.*Parliamentary Secretary*—Sir H. E. Kearley.**Trade Accounts**

Committee Recommendations, Adoption of.

Q. Mr. Lonsdale; A. Mr. Churchill, Oct. 21, 1145.

**Trade Records**

Departmental Committee—Report, etc., Presented, Oct. 13, 161, 164.

**Trade Reports**

Annual Series Presented, Oct. 12, 4, 21; Oct. 13, 165; Oct. 14, 289; Oct. 15, 442; Oct. 19, 695; Oct. 20, 885; Oct. 21, 1069, 1133; Oct. 26, 1557, 1565.

**Transvaal**British Indians, *see that title.***Chinese Labour**

Compound System.

Qs. Captain Craig, Sir G. Parker, Mr. W. Redmond, Mr. Ashley, Mr. K. Hardie; As. Colonel Seely, Mr. Speaker, Oct. 22, 1348.

Number Employed.

Qs. Captain Craig; As. Colonel Seely, Oct. 22, 1348.

**Civil Service Retrenchments**

Correspondence and Returns Presented, Oct. 22, 1289, 1320.

Date of presenting Return.

Qs. Sir G. Parker; As. Colonel Seely, Oct. 14, 300.

Government Guaranteed Loan—Minute Presented, Oct. 23, 1485; Oct. 26, 1557.

Opium Ordinance, Proposals as to.

Q. Mr. Smeaton; A. Colonel Seely, Oct. 22, 1348.

**Trawling in Prohibited Areas Bill**

Date of taking.

Q. Mr. Esslemont; A. Mr. Sinclair, Oct. 19, 707.

Qs. Mr. Pirie; As. Mr. Sinclair, Mr. Speaker, Oct. 21, 1151.

**Treasury***First Lord*—Rt. Hon. H. H. Asquith.*Financial Secretary*—Mr. C. E. Hobhouse.**Trevelyan, Mr. C. P.** [Yorkshire, W.R., Elland]

Weir Hospital Scheme, Oct. 21, 1148–1150.

**Trinidad**

Indentured Coolie Labour, Cost of.

Q. Mr. Summerbell; A. Colonel Seely, Oct. 20, 930.

Telegraphic Communication with, Improvement of.

Qs. Mr. Mitchell-Thomson; As. Colonel Seely, Oct. 20, 932.

**Truck Act**

Committee Report, Date of issuing, etc.

Q. Mr. J. Ward; A. Mr. Gladstone, Oct. 22, 1356.

**Tuberculosis**

Committee

Recommendations, Adoption of.

Q. Mr. Abel Smith; A. Mr. Burns, Oct. 19, 752.

Report, Date of issuing.

Q. Sir F. Channing; A. Mr. Burns, Oct. 13, 166.

Sanatoria, Maintenance of.

Q. Mr. Higham; A. Mr. Burns, Oct. 22, 1361.

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**Tuke, Sir J.**—[Edinburgh and St. Andrew's Universities].

National Telephone Company Employees.  
Position of, Oct. 26, 1617.

## Tunis

Trade Report Presented, Oct. 12, 5.

## Turkey

Trade Reports Presented, Oct. 14, 289;  
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## Turks and Caicos Islands

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441; Oct. 20, 885.

## Twickenham

St. Stephen's School—Vaccination of  
Children.

Q. Mr. Lupton; A. Mr. Runciman,  
Oct. 14, 310.

## Uganda

Land Purchase by Uganda Company.

Q. Mr. Wedgwood; A. Col. Seely, Oct.  
14, 300.

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Qs. Mr. Wedgwood, Mr. Rees; As. Col.  
Seely, Oct. 14, 299.

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on dealing with.

Q. Mr. Rees; A. Col. Seely, Oct.  
20, 919.

## Unemployment

Admiralty Proposals for giving Work to.

Q. Maj. Anstruther-Gray; A. Mr.  
McKenna, Oct. 26, 1576.

Causes of.

Os. Mr. Burns, Oct. 26, 1665, 1666.

Census of Unemployed, proposed.

Os. Mr. Alden, Oct. 26, 1636.

Central Unemployed Committee, Work of.

Os. Mr. Long, Oct. 26, 1689.

Discussion, Arrangements for, etc.

Os. Mr. W. Long, Oct. 26, 1680; Mr. A.  
J. Balfour, 1714, 1715, 1731, 1761;  
Mr. Asquith, 1731, 1760; Mr.  
Wyndham, 1757, 1759, 1760; Mr.  
Summerbell, 1761; Earl Winterton,  
1762, 1763; Mr. Jowett, 1763; Mr.  
R. Duncan, 1765.

Q. Mr. L. Hardy; A. Mr. Asquith,  
Oct. 23, 1491.

Q. Mr. A. J. Balfour; A. Mr. Asquith,  
Oct. 26, 1628.

Distress Committees, Increasing Number  
of, proposed.

Os. Mr. A. Henderson, Oct. 26,  
1736–1740; Mr. W. Abraham,  
1751; Mr. Asquith, 1752.

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Classes.

Os. Mr. Burns, Oct. 26, 1675.

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Enlistment in Special Reserve, Proposals  
for.

Os. Mr. Arnold-Forster, Oct. 26,  
1744–1748.

Government Proposals for dealing with

References to in Debate, Oct. 26, 1631.

1635, 1640, 1641, 1644, 1646,  
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Os. Mr. A. Henderson, 1159,  
1173; Mr. Myer, 1159; Mr.  
A. J. Balfour, 1165, 1172;  
Mr. Remnant, 1167; Mr.  
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Q. Mr. Courthope; A. Mr.  
Asquith, Oct. 22, 1339.

## Ireland

Grant (1906–7).

Q. Mr. Nannetti; A. Mr. Birrell,  
Oct. 26, 1572.

Inquiries as to and Proposals for  
Assistance.

Qs. Mr. John O'Connor, Capt.  
Donelan; As. Mr. Asquith,  
Oct. 26, 1621.

Q. Capt. Craig; A. Mr. Asquith,  
Oct. 26, 1627.

Situation in.

Os. Mr. Kettle, Oct. 26, 1711–1714.

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Q. Mr. A. J. Balfour; A. Mr. Asquith,  
Oct. 26, 1624.

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1485; Oct. 26, 1557.

Local Authorities.

Check on.

Q. Mr. Mildway; A. Mr. Asquith,  
Oct. 26, 1622.

Grant for Estimated Loss.

Qs. Mr. Cave, Mr. Curran, Mr.  
Clynes, Mr. H. Cox; As. Mr.  
Asquith, Oct. 26, 1623.

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Os. Mr. Burns, Oct. 26, 1667–1670,  
1687, 1697; Mr. Long, 1686,  
1687; Mr. Pickersgill, 1707;  
Mr. A. J. Balfour, 1724; Mr.  
Asquith, 1725, 1733.

Q. Mr. E. Davies; A. Mr. Burns,  
Oct. 26, 1612.

Q. Mr. Clynes; A. Mr. Burns, Oct.  
26, 1613.

Q. Mr. Summerbell; A. Mr. Burns,  
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Local Government Board Circular.

Os. Mr. J. R. Macdonald, Oct. 26, 1706;  
Mr. J. Burns, 1706.

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Q. Mr. H. H. Marks; A. Mr. Burns,  
Oct. 20, 922.



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Period of Work, Power to extend.

*Qs.* Mr. Du Cros, Mr. G. Roberts; *A.* Mr. Burns, Oct. 26, 1613.

Poor Relief Regulation, Hardship entailed by.

*Q.* Mr. Pickersgill; *A.* Mr. Burns, Oct. 19, 705.

Return—Issue as Monthly Parliamentary White Paper proposed.

*Q.* Mr. C. Money; *A.* Mr. Churchill, Oct. 26, 1570.

Statement, Date of making

*Qs.* Mr. A. Henderson; *As.* Mr. Asquith, Oct. 12, 39; Oct. 19, 763.*Qs.* Mr. A. Henderson, Mr. K. Hardie, Mr. Curran; *As.* Mr. Asquith, Oct. 14, 318.*Qs.* Mr. Staveley-Hill, Mr. Fenwick, Mr. K. Hardie; *As.* Mr. Asquith, Oct. 15, 490.

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*Os.* Mr. K. Hardie, Oct. 26, 1648–1650, 1673; Mr. Burns, 1673, 1683; Mr. Long, 1683; Mr. Barnes, 1753.*Qs.* Mr. Goulding, Earl Winterton, Mr. Renwick; *As.* Mr. Churchill, Mr. Speaker, Oct. 22, 1359.*Q.* Earl Winterton; *A.* Mr. Churchill Oct. 26, 1570.*Q.* Mr. Goulding; *A.* Mr. Churchill, Oct. 26, 1571.*Qs.* Mr. A. J. Balfour, Mr. Goulding, Mr. C. Money, Mr. A. Chamberlain, Mr. Byles; *As.* Mr. Asquith, Oct. 26, 1625.

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*Os.* Mr. Alden, Oct. 26, 1633; Mr. A. J. Balfour, 1634, 1728.

Wales, Assistance in.

*Q.* Mr. Rees; *A.* Mr. Asquith, Oct. 26, 1628.

Women, Proposals for helping.

*Q.* Mr. Clynes; *A.* Mr. Burns, Oct. 26, 1614.**United States of America**

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**Uruguay**

Trade Report, Presented, Oct. 12, 5.

**Vaccination**

Cornwall, Mr. B., Case of.

*Q.* Mr. Lehmann; *A.* Mr. Burns, Oct. 26, 1586.**Verney, Mr. F. W.** [Buckinghamshire, N.]

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**Verney, Mr. F. W.—cont.**

Old-Age Pensions

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**Vivian, Mr. H.** [Birkenhead]Licensing Bill, *Com.*, Oct. 14, 343, 344.**Vivisection**

Gaskell, Dr., Experiment performed by, etc.

*Qs.* Sir G. Kekewich, Mr. Lupton, Mr. J. C. Wason; *As.* Mr. Gladstone, Oct. 21, 1140.**Walker, Col. W. H.** (Lancs., S.W., Widnes]Licensing Bill, *Com.*, Oct. 15, 542.**Wallsend**

Small Holdings Society, Application from.

*Q.* Mr. G. Roberts; *A.* Mr. J. A. Pease, Oct. 22, 1364.**Walsh, Mr. S.** [Lancashire, S.W., Ince]Children Bill, *Con.*, Oct. 12, 145.Licensing Bill, *Com.*, Oct. 16, 361.**War Office***Secretary of State*—Rt. Hon. H. B. Haldane.*Parliamentary Secretary*—Lord Lucas.*Financial Secretary*—Mr. F. D. Acland.

Assistant Financial Secretary, Duties of.

*Q.* Mr. Ashton; *A.* Mr. Haldane, Oct. 23, 1491.

Boot Contracts, Allocation of.

*Q.* Mr. T. F. Richards; *A.* Mr. Haldane, Oct. 15, 455.“Coach and Horses” Public-house, Sale of, *see under* Hilsea.

Director-General of Finance, Appointment of.

*Q.* Mr. Ashton; *A.* Mr. Haldane, Oct. 19, 720.**Ward, Mr. J.** [Stoke-on-Trent]Children Bill, *Con.*, Oct. 12, 83, 84.Licensing Bill, *Com.*, Oct. 16, 413.

London and District Electricity Supply Bill—Instruction to Committee, Oct. 19, 862–866.

Middlesex Sessions—Sentence on two Labourers, Oct. 22, 1357.

Portsmouth New Lock—Fatal Accident to C. J. Vowels, Oct. 22, 1356.

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**Warde, Colonel C. E.** [Kent, Medway]

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